NORTHERN IRELAND

THE

Public General Acts of 1922

PASSED IN THE TWELFTH AND THIRTEENTH YEAR

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH

BEING THE

SECOND SESSION OF THE FIRST PARLIAMENT

OF

NORTHERN IRELAND

WITH A

TABLE OF THE TITLES, THE EFFECT OF THE YEAR'S LEGISLATION AND AN INDEX; ALSO THE LOCAL ACTS OF THE SAME SESSION AND A TABLE OF THEIR TITLES

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CONTENTS

Table. PAGE

I. TABLE OF THE TITLES OF THE PUBLIC GENERAL ACTS PASSED DURING THE YEAR iii

THE PUBLIC GENERAL ACTS.

II. THE EFFECT OF THE YEAR'S LEGISLATION :—

PART I.—SHOWING THE ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM REPEALED OR AMENDED BY ACTS OF THE PARLIAMENT OF NORTHERN IRELAND 115

PART 2.—SHOWING THE ACTS OF THE PARLIAMENT OF NORTHERN IRELAND REPEALED OR AMENDED BY ACTS OF THAT PARLIAMENT 121

III. INDEX TO THE PUBLIC GENERAL ACTS 122

IV. TABLE OF THE TITLES OF THE LOCAL ACTS PASSED DURING THE YEAR 137

THE LOCAL ACTS.

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TABLE OF STATUTES OF THE IMPERIAL PARLIAMENT PASSED IN THE YEAR 1922 (12 GEO. 5 AND 12 & 13 GEO. 5.). APPLICABLE IN NORTHERN IRELAND.

Chapter.	Subject Matter.	Section of Act as to applicability.
4	Irish Free State Agreement Act	3 (2)
12	Representation of People Act*	
17	Finance Act : (Provisions of Act relating to matters within powers of N. I. Parliament not to extend to Ireland).	49 (3)
22	Summer Time Act (temporary)	2 (2)
24	Guarantee of Northern Ireland Loans	
30	Unemployment Insurance No. 2	
38	National Health Insurance :	
	Sections 2 and 4 apply to N. I.	2 (3)
	Otherwise the Act does not apply to N. I.	5 (3)
39	Oil in Navigable Waters*	8 (3), 8 (4)
41	Offences under Representation People Act, 1918*	2 (2)
44	British Nationality	
45	Telegraphs	
47	Railway and Canal Commission	
49	Post Office Parcels*	3 (3)
		3 (4)‡
50	Expiring Laws†	5 (2)
55	Constabulary Ireland Disbandment of R.I.C.	
13 Geo. 5 sess. 2		
c. 1	Irish Free State Constitution	
2	Irish Free State Consequential Provisions	

*Deemed to have been passed before the appointed day, 3rd May, 1921. Acts of Parliament of U. K. post-appointed day override Acts of Parliament of Northern Ireland though on matters within powers of N. I. Parliament. 10-11 Geo. 5, c. 67 s. 6 (2) (3).

†Applies to Northern Ireland so far as relating to matters not within powers of N. I. Parliament.

‡From 15th August, 1921.

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TABLE I

A

TABLE

OF

THE TITLES OF THE PUBLIC GENERAL ACTS OF 1922

being the Acts passed in the SECOND SESSION OF THE FIRST PARLIAMENT OF NORTHERN IRELAND

12 & 13 GEO. 5—A.D. 1922

1. An Act to apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the period ending on the thirty-first day of March, nineteen hundred and twenty-two, and of the year ending on the thirty-first day of March, nineteen hundred and twenty-three. (*Consolidated Fund.*)

2. An Act to amend the Superannuation Act, 1921. (*Superannuation.*)

3. An Act to empower the Ministry of Finance to raise money for certain purposes, and to issue sums for Local Loans and for temporary investment. (*Exchequer Borrowing and Local Loans,*)

4. An Act to enable the Ministry of Finance to make advances for discharging the liabilities of the Northern Irish unemployment fund. (*Unemployment Fund.*)

5. An Act to empower certain authorities of the Government of Northern Ireland to take steps for preserving the peace and maintaining order in Northern Ireland, and for purposes connected therewith. (*Civil Authorities (Special Powers).*)

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6. An Act to make special provision for the trial of persons charged with serious crimes in Northern Ireland, and for purposes connected therewith. (*Criminal Procedure.*)

7. An Act to amalgamate the rates of contribution and the rates of benefit under the Unemployment Insurance Acts, 1920 and 1921 and the Unemployment Workers' Dependants (Temporary Provision) Act, 1921, in their application to Northern Ireland, otherwise to amend the Unemployment Insurance Acts, 1920 and 1921, and to repeal the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, in their application as aforesaid, and for purposes connected therewith. (*Unemployment Insurance.*)

8. An Act to provide for the establishment, management and control of the Royal Ulster Constabulary, and to amend the law with respect to the appointment of Resident Magistrates and Special Constables in Northern Ireland, and for purposes connected therewith. (*Constabulary.*)

9. An Act to amend section thirty-three of the Finance (1909-10) Act, 1910, and the Acquisition of Land (Assessment of Compensation) Act, 1919, in their application to Northern Ireland. (*Referees and Arbitrators* (*Procedure*).)

10 An Act to make provision for the establishment of a Joint Council in Northern Ireland for the purposes of the Midwives (Ireland) Act, 1918, and the Nurses Registration (Ireland) Act, 19 9, and for purposes connected therewith. (*Joint Nursing and Midwives Council.*)

11. An Act to provide for the Authorisation of Races with Motor Vehicles in Northern Ireland. (*Motor Vehicle Races.*)

12. An Act to make provision for the licensing of bulls and for the improvement of the breed of certain classes of live stock in Northern Ireland. (*Live Stock Breeding.*)

13. An Act to make provision for the management, administration and disposition of the part of the Irish Church Temporalities Fund apportioned to the Government of Northern Ireland, and for purposes connected therewith. (*Church Temporalities Fund.*)

14. An Act to apply a Sum of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

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15. An Act to make further provision with respect to the expenses of the administration of benefits under the Acts relating to National Health Insurance in Northern Ireland, to amend section twenty-nine of the National Health Insurance Act, 1918, in its application to Northern Ireland, and for purposes connected therewith. (*National Health Insurance.*)

16. An Act to amend the Law relating to Local Government in Northern Ireland, and for purposes connected therewith. (*Local Government.*)

17. An Act to amend section four of the Unemployment Insurance Act (Northern Ireland), 1922. (*Unemployment Insurance* (*Amendment*).)

18. An Act to amend the Law relating to certain Duties of Inland Revenue (including Excise) and to alter other Duties payable in Northern Ireland. (*Finance.*)

19. An Act to provide for the carrying into execution of certain enactments of the Solicitors (Ireland) Act, 1898, by the Incorporated Law Society of Northern Ireland, and to amend the said Act in its application to Northern Ireland. (*Solicitors.*)

20. An Act to apply to Northern Ireland certain Acts passed by the Parliament of the United Kingdom in the present Session thereof. (*Uniformity of Laws.*)

United Kingdom Acts Applied.

[12 & 13 Geo. 5.] *Infanticide Act*, 1922. [Ch. **18.**]

An Act to provide that a woman who wilfully causes the death of her newly born child may, under certain conditions, be convicted of infanticide.

[12 & 13 Geo. 5.] *Gaming Act*, 1922. [Ch. **19.**]

An Act to repeal section two of the Gaming Act, 1835.

[12 & 13 Geo. 5.] *Bread Acts Amendment Act*, 1922. [Ch. **28.**]

An Act to amend the enactments relating to the provision of regulations for the making and sale of bread, and for preventing the adulteration of meal, flour, and bread.

[12 & 13 Geo. 5.] *Sale of Tea Act*, 1922, Ch. **29.**]

An Act to provide for the better protection of the public in relation to the sale of tea.

[12 & 13 Geo. 5.] *Celluloid and Cinematograph Film Act*, 1922. Ch. **35.**

An Act to make better provision for the prevention of fire in premises where raw celluloid or cinematograph film is stored or used.

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21. An Act to deal with certain Expiring Laws as respects Northern Ireland, by making some of them permanent, repealing others and continuing the remainder for a limited period. (*Expiring Laws.*)

22. An Act to postpone Elections of County and Rural District Councillors and Guardians in Northern Ireland, and of the Belfast City and District Water Commissioners, and to remove difficulties with respect to the constitution of certain Local Authorities. (*Local Authorities (Elections and Constitution).*)

23. An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, and to appropriate the further Supplies granted in this Session of Parliament. (*Appropriation (No. 2).*)

24. An Act to authorise the Ministry of Finance for Northern Ireland to guarantee the payment of Loans to be applied towards or in connection with the carrying out of capital undertakings calculated to promote employment in Northern Ireland. (*Loans Guarantee.*)

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THE PUBLIC GENERAL STATUTES OF 1922

[12 & 13 GEO. 5]

CHAPTER 1.

An Act to apply certain Sums out of the consolidated Fund of Northern Ireland to the service of the period ending on the thirty-first day of March, nineteen hundred and twenty-two, and of the year ending on the thirty-first day of March, nineteen hundred and twenty-three.

[29th March, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply which the House of Commons have, in pursuance of recommendations from the Lord Lieutenant, granted to His Majesty in this Session of Parliament, as follows:—

Issue of £9,618 out of the Consolidated Fund for the service of the period ending 31st March, 1922.

1.—(1) The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the period ending on the thirty-first day of March, nineteen hundred and twenty two, the sum of nine thousand six hundred and eighteen pounds.

Issue of £2,015,800 out of the Consolidated Fund for the service of the year ending 31st March, 1923.

(2) The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, the sum of two million fifteen thousand eight hundred pounds.

Power for the Ministry of Finance to borrow.

3.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sum, any sum or sums not exceeding in the whole one million pounds.

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A.D 1922.

(2) Any money borrowed shall be repaid, with any interest due thereon, out of the growing produce of the Consolidated Fund of Northern Ireland at any date not later than the quarter next succeeding to that in which the money was borrowed.

(3) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund Act (Northern Ireland), 1922.

CHAPTER 2.

An Act to amend the Superannuation Act, 1921.

[4th April, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of s. 2 of 12 Geo. 5., c. 3.

9 Edw. 7 c. 10. 4 & 5 Geo. 5, c. 86.

1. In the application of the Superannuation Acts to Northern Ireland, the service of a specially appointed officer in the civil service of the United Kingdom may be reckoned for the purposes of sections two and three of the Superannuation Act, 1909 (as amended by the Superannuation Act, 1914) in like manner as it may be reckoned for any purpose of the Superannuation Act, 1921.

Short title and construction.

2. This Act may be cited as the Superannuation Act (Northern Ireland), 1922, and shall be read as one with the Superannuation Act, 1921, and that Act and this Act may be cited together as the Superannuation Acts (Northern Ireland), 1921 and 1922.

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CHAPTER 3.

A.D. 1922.

An Act to empower the Ministry of Finance to raise money for certain purposes, and to issue sums for Local Loans and for temporary investment. [4th April, 1922].

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Power to borrow certain for purposes.

1.—(1) The Ministry of Finance may borrow, in accordance with the provisions of this section, such sums as that Ministry thinks proper to raise for being applied for the following purposes, namely :—

(*a*) Any loan to the council of any county, county borough or county district, commissioners of a town, or guardians of a poor law union, made for a purpose for which such council, commissioners or guardians have statutory power to borrow money and subject to any statutory conditions limiting that power, or any other loan which the Ministry of Finance has power to make by virtue of the powers transferred to that Ministry from the Commissioners of Public Works in Ireland, (in this Act referred to as local loans).

(*b*) Any advance which may be made by the Ministry within the limit authorised by or under any enactment for the purpose of discharging the liabilities of the Northern Irish unemployment fund.

(*c*) The raising of the supply granted to His Majesty for the service of any year, to the extent to which the Ministry of Finance has power to borrow for the purpose of issues from the Consolidated Fund in respect of that year.

(2) Any sums which may be raised under this section shall be raised on such terms, by the issue of such securities, and in such manner as the Ministry of Finance thinks fit and may be raised by the issue of Savings Certificates, in accordance with regulations to be made by the Ministry of Finance.

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A.D. 1922.

The powers given by this provision shall be in addition to, and not in derogation of, any other power of raising money.

(3) The principal of and interest on any loan raised under this section shall be charged on the Consolidated Fund of Northern Ireland or the growing produce thereof, and any expenses incurred in connection with the issue thereof shall be paid out of moneys provided by Parliament.

Charges in respect of guarantee by Treasury of United Kingdom.

2.—(1) If the Treasury of the United Kingdom, in pursuance of any Act of the Parliament of the United Kingdom passed in the present year, guarantee the payment of the principal of and the interest on any loan to be raised by the Ministry of Finance, the principal of and interest on the loan so raised, and any sinking fund payments in respect thereof, shall have priority over any charges on the said fund not existing on the day on which the said Act of the Parliament of the United Kingdom is passed.

(2) Any sums due from the Ministry of Finance to the Treasury of the United Kingdom in respect of the guarantee of the said loan by the said Treasury shall, together with interest thereon at such rate as the said Treasury may fix, be charged on the Consolidated Fund of Northern Ireland immediately after the charge thereon created by the preceding provisions of this section, and shall be issued out of that fund accordingly for repayment to the said Treasury.

Payments into and out of Exchequer and temporary investment.

3.—(1) All sums raised under this Act shall be paid into the Exchequer, and the Ministry of Finance may issue out of the Consolidated Fund, or the growing produce thereof, such sums within the total amount raised as may from time to time be required in respect of the purposes mentioned in this Act, and may, pending such requirements, issue any sums so raised out of the Consolidated Fund for the purpose of temporary investment.

Local Loans.

4.—(1) Any sums issued under this Act for the purpose of local loans shall be issued on such terms as to rate of interest, repayment, and otherwise, as may be determined by the Ministry of Finance.

(2) Any sums received by way of repayment of the principal of and interest on any such loan shall be paid into the Exchequer.

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A.D. 1922.

(3) Repayments by way of principal may be issued out of the Consolidated Fund, if and when required, for any of the purposes mentioned in this Act (including temporary investment), and payments on account of interest shall form part of the revenue of the financial year in which they are received.

Short title.

5. This Act may be cited as the Exchequer Borrowing and Local Loans Act (Northern Ireland), 1922.

CHAPTER 4.

An Act to enable the Ministry of Finance to make advances for discharging the liabilities of the Northern Irish unemployment Fund.

[4th April, 1022.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Advances by Ministry of Finance for unemployment fund.

1.—(1) The Ministry of Finance may, out of the Consolidated Fund or the growing produce thereof, advance any sums required for the purpose of discharging the liabilities of the Northern Irish unemployment fund :

Provided that the total amount of advances made under this Act and outstanding at any time shall not exceed one million pounds, and that, in calculating the said amount, advances made under or subject to the provisions of the Unemployment Insurance Act, 1921, the Unemployment Insurance (No. 2) Act, 1921, and the Government of Ireland (Adaptation of Unemployment Insurance Acts) Order, 1922, shall not be taken into account.

11 Geo. 5 c. 1
11 & 12 Geo. 5 c. 15.

(2) Any sums advanced under this Act, together with interest thereon at such rate as may be fixed by the Ministry of Finance, shall be charged on and be payable out of the said unemployment fund.

Short title.

2. This Act may be cited as the Unemployment Fund Act (Northern Ireland), 1922.

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CHAPTER 5.

A.D. 1922.

An Act to empower certain authorities of the Government of Northern Ireland to take steps for preserving the peace and maintaining order in Northern Ireland, and for purposes connected therewith. [7th April, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Powers for preserving peace and maintaining order.

1.—(1) The civil authority shall have power, in respect of persons, matters and things within the jurisdiction of the Government of Northern Ireland, to take all such steps and issue all such orders as may be necessary for preserving the peace and maintaining order, according to and in the execution of this Act and the regulations contained in the Schedule thereto, or such regulations as may be made in accordance with the provisions of this Act (which regulations, whether contained in the said Schedule or made as aforesaid, are in this Act referred to as " the regulations ") :

Provided that the ordinary course of law and avocations of life and the enjoyment of property shall be interfered with as little as may be permitted by the exigencies of the steps required to be taken under this Act.

(2) For the purposes of this Act the civil authority shall be the Minister of Home Affairs for Northern Ireland, but that Minister may delegate, either unconditionally or subject to such conditions as he thinks fit, all or any of his powers under this Act to any officer of police, and any such officer of police shall, to the extent of such delegation, be the civil authority as respects any part of Northern Ireland specified in such delegation.

(3) The Minister of Home Affairs shall have power to make regulations—

(*a*) for making further provision for the preservation of the peace and maintenance of order, and

(*b*) for varying or revoking any provision of the regulations ;

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A.D. 1922.

and any regulations made as aforesaid shall, subject to the provisions of this Act, have effect and be enforced in like manner as regulations contained in the Schedule to this Act.

(4) All regulations made as aforesaid shall be laid before both Houses of Parliament as soon as may be after they are made, and, if an address is presented to the Lord Lieutenant by either House within the next fourteen days on which such House shall be sitting after any such regulation is laid before it praying that the regulation may be annulled, the Lord Lieutenant may annul that regulation and it shall thenceforth be void, without prejudice to the validity of anything done thereunder, or to the power of making a new regulation; and regulations made as aforesaid shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893.

56, 57 Vict., c. 66.

General provisions as to offences.

2.—(1) It shall be the duty of every person affected by any order issued by the civil authority or other person in pursuance of the regulations to comply with that order, and if he fails to do so he shall be guilty of an offence against the regulations.

(2) Any person who attempts to commit, or solicits or incites or endeavours to persuade another person to commit, or procures, aids or abets, or does any act preparatory to, the commission of, any act prohibited by the regulations, or any order, rules or other instrument made thereunder, or harbours any person whom he knows, or has reasonable grounds for supposing, to have acted in contravention of the regulations, or any order, rules, or other instrument made thereunder, shall be guilty of an offence against the regulations.

(3) It shall be the duty of any person who knows, or has good reason for believing, that some other person is acting, has acted, or is about to act, in contravention of any provisions of the regulations to inform the civil authority of the fact, and if he fails to do so he shall be guilty of an offence against the regulations.

(4) If any person does any act of such a nature as to be calculated to be prejudicial to the preservation of the peace or maintenance of order in Northern Ireland and not specifically provided for in the regulations, he shall be deemed to be guilty of an offence against the regulations.

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(5) Where the offence against the regulations is committed by a corporation or company, every director and officer of the corporation or company shall be guilty of the like offence, unless he proves that the act constituting the offence took place without his knowledge or consent.

(6) Where under the regulations any act if done without lawful authority or without lawful authority or excuse is an offence against the regulations, the burden of proving that the act was done with lawful authority or with lawful authority or excuse shall rest on the person alleged to be guilty of the offence.

61 & 62 Vict. c. 36

(7) Sections one to four, inclusive, of the Criminal Evidence Act, 1898, shall apply in the case of a person charged with an offence against the regulations.

Trial of offences.

3.—(1) A person alleged to be guilty of an offence against the regulations may be tried by a court of summary jurisdiction constituted in accordance with this section, and not otherwise.

(2) An offence against the regulations shall not be prosecuted except by such officer or person as may be authorised in that behalf by the Attorney General for Northern Ireland, and in accordance with such directions as may be given by the said Attorney General.

(3) Any person aggrieved by a conviction of a court of summary jurisdiction for any such offence may appeal in manner provided by the Summary Jurisdiction (Ireland) Acts.

(4) A court of summary jurisdiction when trying a person charged with an offence against the regulations shall be constituted of two or more resident magistrates, but one resident magistrate may act alone in doing anything antecedent to the hearing of the charge under this Act, or in adjourning a court or the hearing of a case, or in committing the defendant to prison or admitting him to bail, until the time to which the court or case has been adjourned; and a court of quarter sessions, when hearing and determining an appeal against a conviction of a court of summary jurisdiction for any such offence, shall be constituted of the recorder or county court judge sitting alone.

Punishment of offences against the regulations.

4. A person convicted of an offence against the regulations shall be liable to be sentenced to imprisonment

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with or without hard labour for a term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and the court may, in addition to any other sentence which may be imposed, order that any goods or articles in respect of which the offence has been committed shall be forfeited.

Special punishment for certain offences

5. Where after trial by any court a person is convicted of any crime or offence to which this section applies, the court may, in addition to any other punishment which may lawfully be imposed, order such person, if a male, to be once privately whipped, and the provisions of subsection (6) of section thirty-seven of the Larceny Act, 1916, as to sentences of whipping shall apply accordingly. 6 & 7 Geo. 5 c. 50.

The crimes and offences to which this section applies are as follows:—

(1) Any crime under the Explosive Substances Act, 1883, as extended by section eighteen of the Firearms Act, 1920. 46 & 47 Vict. c. 3. 10 & 11 Geo. 5. c. 43.

(2) Any offence against the Firearms Act, 1920, in relation to the having, keeping or using of firearms.

(3) Any offence against the regulations in relation to the carrying, having or keeping of firearms, military arms, ammunition or explosive substances.

(4) Any offence against section thirty of the Larceny Act, 1916, (which relates to demanding with menaces, with intent to steal).

(5) Arson, whether by common law or by statute, and any offence punishable on indictment under the Malicious Damage Act, 1861. 24 & 25 Vict. c. 97.

Provided that this section shall not be deemed to apply to any crime or offence committed before the passing of this Act.

Death penalty.

6. A crime under section two or section three of the Explosive Substances Act, 1883, shall be a crime punishable by death: provided that this section shall not apply to any such crime committed before the passing of this Act.

Where a sentence of death is pronounced by the court upon conviction for a crime to which this section applies, the sentence may be pronounced and carried into

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A.D. 1922

execution, and all other proceedings thereupon and in respect thereof may be had and taken, in the same manner as sentence might have been pronounced and carried into execution, and proceedings might have been had and taken, upon a conviction for murder.

Power of arrest.

7. Any person authorised by the civil authority, or any police constable, or any member of any of His Majesty's forces on duty may, where it is necessary for the purpose of effecting an arrest in respect of any crime or any offence against the regulations, exercise the like powers as may at common law be exercised by a police constable in effecting arrest in a case where a felony has been committed.

Power of police in Northern Ireland.

8. Where any enactment or other provision of law (including this Act or the regulations) provides for the exercise of any power by, or imposes any duty on, any inspector, head-constable, sergeant, or constable of the Royal Irish Constabulary in connection with the arrest, prosecution, remand, trial or conviction of any person for any crime or offence, whether punishable on indictment or summary conviction, that enactment or provision shall in Northern Ireland have effect as if the said power were also exercisable by, or the said duty were also imposed on, the corresponding officer or member (by whatever title designated) of any police force under the management and control of the Government of Northern Ireland; and references in any such enactment or provision to any inspector, head-constable, sergeant, or constable of the said constabulary, shall be construed accordingly.

Extension of 14 & 15 Vict. c. 93.

9. The provisions of section fourteen of the Petty Sessions (Ireland) Act, 1851, in relation to the reading of depositions as evidence upon the trial of a person charged with an indictable crime or offence, shall extend so as to authorize the reading of such depositions as evidence, where it is proved that a witness is so ill as to be unable to travel or where the attendance of the witness cannot be procured, owing to the prevalence of a state of disorder or otherwise.

Provisions as to inquests.

10.—(1) For the purpose of preserving the peace and maintaining order, the Minister of Home Affairs may by order:—

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(*a*) Prohibit the holding of inquests by coroners on dead bodies in any area in Northern Ireland specified in the order, either absolutely or except in such circumstances or on such conditions as may be specified in the order; or,

(*b*) Prohibit the holding of any particular inquest specified in the order; and

(*c*) Provide for the duties of a coroner and a coroner's jury (or of either of them) as respects any inquest prohibited by the order being performed by such officer or court as may be determined by the order.

(2) Any such officer or court shall have and may exercise, for the purposes of any inquiry directed to be held in pursuance of such order or any report thereon, all or any of the powers which might have been exercised by the coroner or coroner's jury for the purposes of the inquest which has been prohibited and the finding thereon, whether conferred by statute or at common law.

Provisions as to compensation.

11.—(1) Where, under the powers conferred by this Act or the regulations, any lands, buildings, goods, chattels or other property are taken, occupied or destroyed, or any other act is done involving interference with private rights of property, compensation shall, subject to the provisions of this section, be payable by the civil authority out of moneys provided by Parliament.

(2) If any question arises as to such compensation, such question, if not settled by agreement, shall be referred for settlement to the county court or an arbitrator to be appointed by that court, and all questions in dispute shall be settled in accordance with such procedure as may be prescribed by rules made by the Lord Chief Justice of Northern Ireland after consultation with the civil authority.

(3) Nothing in this section shall be construed as giving to any person, where an offence against the regulations has been committed, any right to compensation in respect of lands, buildings, goods, chattels or other property taken, occupied or destroyed in connection with such offence.

Duration of Act.

12. This Act shall continue in force for one year and no longer, unless Parliament otherwise determines.

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Short title.

13. This Act may be cited as the Civil Authorities (Special Powers) Act (Northern Ireland), 1922.

Section 1.

SCHEDULE.

REGULATIONS FOR PEACE AND ORDER IN NORTHERN IRELAND.

1. The civil authority may by order require every person within any area specified in the order to remain within doors between such hours as may be specified in the order, and in such case, if any person within that area is or remains out between such hours without a permit in writing from the civil authority or some person duly authorised by him, he shall be guilty of an offence against these regulations.

2. The civil authority may by order :—

(1) Require all or any licensed premises within any area specified in the order to be closed, either altogether, or subject to such exceptions as to hours and purposes, and to compliance with such directions, as may be specified in the order ;

(2) Make such provisions as he thinks necessary for the prevention of the practice of treating in any licensed premises within any area specified in the order.

Any order of the civil authority under this regulation may be made to apply either generally or as respects all or any members of the police or other forces mentioned in the order, and may require copies of the order to be exhibited in a prominent place in any licensed premises affected thereby.

If any person contravenes or fails to comply with any of the provisions of an order made under this regulation or any conditions or restrictions imposed thereby, he shall be guilty of an offence against these regulations, and the civil authority may cause such steps to be taken as may be necessary to enforce compliance with the order.

In this regulation the expression "licensed premises" includes any premises or place where the sale of intoxicating liquor is carried on under a licence.

3. (1) The civil authority may make orders prohibiting or restricting in any area :—

(a) The holding of or taking part in meetings, assemblies (including fairs and markets), or processions in public places ;

(b) The use or wearing or possession of uniforms or badges of a naval, military or police character, or of uniforms or badges indicating membership of any association or body specified in the order ;

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A.D. 1922.

(c) The carrying in public places of weapons of offence or articles capable of being used as such ;

(d) The carrying, having or keeping of firearms, military arms, ammunition or explosive substances ; and

(e) The having, keeping, or using of a motor or other cycle, or motor car by any person, other than a member of a police force, without a permit from the civil authority, or from the chief officer of the police in the district in which the person resides.

(2) Any order under this regulation may be made so as to apply generally to the whole of the area aforesaid or to any special localities in that area, and so as to prohibit all or any of the Acts and matters aforesaid absolutely or subject to such exceptions or save upon such conditions as may be specified therein.

(3) If any person contravenes, or fails to comply with, any provision of any order made under this regulation, or fails to comply with any condition subject to which anything is authorised under any such order, he shall be guilty of an offence against these regulations.

(4) The civil authority, or any person authorised by him in writing, or any police constable, or any member of His Majesty's forces on duty (without prejudice to the powers given by any other regulation) :—

(a) If he suspects that any firearms, military arms, motor or other cycles or motor cars, ammunition or explosive substances are, or are kept, in or upon any house, building, land, vehicle, vessel, or other premises in contravention of an order under this regulation, or otherwise unlawfully, may enter, if need be by force, the house, building, land, vehicle, vessel, or premises, at any time of the day or night and examine, search and inspect the same or any part thereof, and may seize any firearms, military arms, motor or other cycles or motor cars, ammunition or explosive substances found therein or thereon which he suspects to be, or to be kept, therein or thereon in contravention of the order, or otherwise unlawfully ; and

(b) If he suspects that any person is carrying any firearms, military arms, ammunition, or explosive substances in contravention of any such order, may stop that person and search him ; and

(c) May seize any firearms, military arms, ammunition, explosive substances or other articles carried by any person in contravention of any such order, or otherwise unlawfully, or any motor or other cycle or motor car used by or in the possession or custody of any person in contravention of any such order.

Any firearms, military arms, ammunition, explosive substances, motor cycles, motor cars, or other articles seized under this regulation may be destroyed or otherwise disposed of as may be ordered by the civil authority or chief officer of police.

4. Where there appears to be reason to apprehend that the assembly of any persons for the purpose of the holding of any meeting will give rise to grave disorder, and will thereby cause undue demands to be made upon the police forces, or that the holding of any procession

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A.D. 1922.

will conduce to a breach of the peace or will promote disaffection, it shall be lawful for the civil authority, or for any magistrate or chief officer of police who is duly authorised for the purpose by the civil authority, or for two or more of such persons so authorised, to make an order prohibiting the holding of the meeting or procession, and if a meeting or procession is held or attempted to be held in contravention of any such prohibition, it shall be lawful to take such steps as may be necessary to disperse the meeting or procession or prevent the holding thereof; and every person taking part in any such prohibited meeting or procession shall be guilty of an offence against these regulations.

5.—(1) The Minister of Home Affairs may, by order, declare this regulation to be in force in any area, and in any such area no person other than a member of the police forces, shall, subject to any exceptions for which provision may be made in the order, practise, take part in, or be concerned in any exercise, movement, evolution, or drill of a military nature, or be concerned in, or assist the promotion or organisation of any such exercise, movement, evolution, or drill, by persons other than members of the police forces.

(2) If any person acts in contravention of this regulation he shall be guilty of an offence against these regulations.

(3) The provisions of this regulation are in addition to and not in derogation of any other provision of law relating to the same subject-matter.

6. The civil authority, and any person duly authorised by him shall have right of access to any land or buildings or other property whatsoever.

7. The civil authority, if he considers it necessary so to do for the purposes of any work of defence or other defended work, or for any other purpose for which it is deemed necessary for preserving the peace or maintaining order to afford protection, may, by order, close, stop, or divert any road, lane, passage, pathway, or ferry, for so long as the order remains in force:

Provided that where any public road or ferry is so closed, stopped or diverted the civil authority shall publish notice thereof in such manner as he may consider best adapted for informing the public, and where any road is stopped by means of any physical obstruction he shall cause lights sufficient for the warning of passengers to be set up every night whilst the road is so stopped.

8. It shall be lawful for the civil authority and any person duly authorised by him, where for the purposes of this Act it is necessary so to do:—

(a) To take possession of any land and to construct works, including roads, thereon, and to remove any trees, hedges, and fences therefrom;

(b) To take possession of any buildings or other property, including works for the supply of gas, electricity or water, and of any sources of water supply;

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A.D. 1922

(c) To take such steps as may be necessary for placing any buildings or structures in a state of defence;

(d) To cause any buildings or structures to be destroyed, or any property to be moved from one place to another, or to be destroyed;

(e) To take possession of any arms, ammunition, explosive substances, equipment, or stores intended or liable to be used for purposes prejudicial to the preservation of the peace or the maintenance of order; to take possession of any horses, vehicles or mechanically propelled vehicles, or other means of transport, or require them to be placed at the disposal of any Government Department or person specified by the Civil Authority in that behalf, either absolutely or by the way of hire, and either for immediate or future use.

(f) To do any other act involving interference with private rights of property which is necessary for the purposes of this Act.

If, after the civil authority has issued a notice that he has taken or intends to take possession of any movable property in pursuance of this regulation, any person having control of any such property sells, removes or secretes it without the consent of the civil authority, he shall be guilty of an offence against these regulations.

9. Every person who uses or keeps motor spirit, whether for the purpose of supplying motive power to motor-cars or for any other purpose, shall supply such information in relation to the motor spirit used or kept by him, and the purposes for which and the manner in which it is used or kept by him, as the civil authority may by any general or special order require, giving such particulars in such form and at such times as the civil authority may by order direct; and if any person fails to comply with this regulation, or with any order made thereunder, or knowingly gives any false information, he shall be guilty of an offence against these regulations.

For the purposes of this regulation "motor spirit" has the same meaning as in section eighty-four of the Finance (1909-10) Act, 1910.

10. No person shall, without lawful authority, collect, record, publish or communicate, or attempt to elicit, any information with respect to the movement, numbers, description, condition, or disposition of any police force, or with respect to the plans or conduct, or supposed plans or conduct, of any operations by any such force, or any information of such a nature as is calculated to be or might be directly or indirectly useful to persons hostile or opposed to the preservation of the peace or maintenance of order, and if any person contravenes the provisions of this regulation, or without lawful authority or excuse has in his possession any document containing any such information as aforesaid, he shall be guilty of an offence against these regulations.

11. No person without lawful authority shall injure, or tamper or interfere with, any wire or other apparatus for transmitting telegraphic or telephonic messages, or any apparatus or contrivance in-

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A.D. 1922.

tended for or capable of being used for a signalling apparatus, either visual or otherwise, or prevent or obstruct or in any manner whatsoever interfere with the sending, conveyance or delivery of any communication by means of telegraph, telephone, or otherwise, or be in possession of any apparatus intended for or capable of being used for sending messages, or tapping messages sent, by wireless telegraphy or otherwise, and if any person contravenes the provisions of this regulation he shall be guilty of an offence against these regulations.

12. If any person, without lawful authority or excuse, uses or has in his possession or under his control any cipher, code, or other means adapted for secretly communicating information which may be prejudicial to the preservation of peace or the maintenance of order he shall be guilty of an offence against these regulations, unless he proves that the cipher, code, or other means of secret communication is intended and used solely for commercial or other legitimate purposes.

Any person who has in his possession or under his control any cipher, code, or other means of secret communication shall, if required by the civil authority, or any person authorised by him, or by any police constable, supply the key or other means for deciphering it, and if he fails to do so shall be guilty of an offence against these regulations.

13. If any person does any injury to any railway, or is upon any railway, or on, under or near any tunnel, bridge, viaduct, or culvert, or loiters on or in any road or path or other place near a railway tunnel, bridge, viaduct or culvert, with intent to do injury thereto, he shall be guilty of an offence against these regulations.

13a. Where a person employed by a Government Department or by a municipal authority or by any company or contractor upon whom is imposed by Act of Parliament the duty, or who have otherwise assumed the duty of supplying any city, borough, town or place, or any part thereof, with electricity, gas, or water, wilfully and maliciously breaks a contract of service with that department, authority, company, or contractor, knowing or having reasonable cause to believe that the probable consequence of his so doing, either alone or in combination with others, will be to deprive the inhabitants of that city, borough, town, place or part, wholly or to a great extent of their supply of electricity, gas or water, he shall be guilty of an offence against these regulations.

14. The civil authority may by order prohibit any person from approaching within such distance as may be specified in the order of any camp, barrack, work of defence or other defended work, or any work or place to which it is deemed necessary in the interest of the preservation of the peace or maintenance of order to afford protection, and if any person contravenes any such order he shall be guilty of an offence against these regulations.

15. If any person by the discharge of firearms or otherwise endangers the safety of any police officer or constable or other person who is charged with the execution of any duties under these regulations, he shall be guilty of an offence against these regulations.

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A.D. 1922.

16. If any person attempts or does any act calculated or likely to cause mutiny, sedition, or disaffection in any police force or among the civilian population, or to impede delay or restrict any work necessary for the preservation of the peace or maintenance of order he shall be guilty of an offence against these regulations.

17. No person shall obstruct, knowingly mislead or otherwise interfere with or impede, or withhold any information in his possession which he may reasonably be required to furnish from an officer or other person who is carrying out the orders of the civil authority, or who is otherwise acting in accordance with his duty under these regulations, and if he does so shall be guilty of an offence against these regulations.

If any person obstructs, impedes, or otherwise interferes with any member of any police or other authorised force in the execution of his duties, he shall be guilty of an offence against these regulations.

18. The civil authority, or any person duly authorised by him, or any police constable, or any member of any of His Majesty's forces on duty, may, if he has reason to suspect that any house, building, land, vehicle, vessel, aircraft, or other premises or any things therein are being or have been, or are about to be, constructed, used or kept for any purpose or in any way prejudicial to the preservation of the peace or maintenance of order, or that a crime or an offence against these regulations is being or has been committed thereon or therein, enter, if need be by force, the house, building, land, vehicle, vessel, aircraft, or premises at any time of the day or night, and examine, search and inspect the same or any part thereof, and may seize anything found therein or any such vehicle or vessel which he has reason to suspect is being used or intended to be used for any such purpose as aforesaid, or is being kept or used in contravention of these regulations, and the civil authority may order anything so seized to be destroyed or otherwise disposed of.

19. Where the civil authority, or any superior officer of police, is of opinion that a meeting or assembly is being or about to be held of such a character that an offence against these regulations may be committed thereat, he may authorise in writing a police constable or other person to attend the meeting or assembly, and any police constable or person so authorised may enter the place at which the meeting or assembly is held and remain there during its continuance.

In this regulation the expression "superior officer of police" means an officer of police of a rank superior to that of constable.

The powers given by this regulation shall be in addition to and not in derogation of any powers of the civil authority, constables, or superior officers of police.

20. If a justice of the peace is satisfied, by information in writing upon oath laid before him by any person duly authorised by the civil authority, that any house, land, building, or other premises are being or are about to be used for any purpose or in any way prejudicial to the preservation of the peace or maintenance of order by persons suspected

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A.D. 1922.

of attempting to cause mutiny, sedition, or disaffection among the police forces or among the civil population, the justice may by order require the premises either to be closed altogether or not to be used for any purpose prohibited by the order, or not to be used except in accordance with conditions and restrictions imposed by the order, and if the owner or occupier of the premises or any other person contravenes or fails to comply with any of the provisions of the order or any conditions or restrictions imposed thereby, he shall be guilty of an offence against these regulations, and the civil authority may cause such steps to be taken as may be necessary to enforce compliance with the order.

21. Any police officer or constable may stop any vehicle travelling along any public road, and, if he has reason to suspect that any vehicle upon any public road is being used for any purpose or in any way prejudicial to the preservation of the peace or maintenance of order, or otherwise unlawfully, may search and seize the vehicle and seize anything found therein which he has reason to suspect is being used or intended to be used for any such purpose as aforesaid.

22. The civil authority may by order require any person or persons of any class or description to furnish him, either verbally or in writing, with such information as may be specified in the order, and the order may require any person to attend at such time and such place as may be specified in the order for the purpose of furnishing such information, and if any person fails to comply with the order he shall be guilty of an offence against these regulations.

23. Any person authorised for the purpose by the civil authority, or any police constable, or member of any of His Majesty's forces on duty when the occasion for the arrest arises, may arrest without warrant any person whose behaviour is of such a nature as to give reasonable grounds for suspecting that he has acted or is acting or is about to act in a manner prejudicial to the preservation of the peace or maintenance of order, or upon whom may be found any article, book, letter, or other document, the possession of which gives ground for such a suspicion, or who is suspected of having committed an offence against these regulations, or of being in possession of any article or document which is being used or intended to be used for any purpose or in any way prejudicial to the preservation of the peace or maintenance of order, and anything found on any person so arrested which there is reason to suspect is being so used or intended to be used may be seized, and the civil authority may order anything so seized to be destroyed or otherwise disposed of.

Any person so arrested may, on the order of the civil authority, be detained in any of His Majesty's prisons as a person committed to prison on remand, until he has been discharged by direction of the Attorney General or is brought before a court of summary jurisdiction. Any person to be brought before a court under this regulation shall receive at least twenty-four hours' notice in writing of the nature of the charge preferred against him.

On a person being taken into custody under this regulation he may apply to the civil authority for release on bail, and, if the civil authority so directs in writing, any resident magistrate may discharge

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the person so in custody upon his entering into a recognizance, with, or without, sureties, for a reasonable amount to appear at a time and place to be named in the recognizance.

If any person assists or connives at the escape of any person who may be in custody under this regulation, or knowingly harbours or assists any person who has so escaped, he shall be guilty of an offence against these regulations.

24.—(1) Any person who does any act with a view to promoting or calculated to promote the objects of an unlawful association within the meaning of section 7 of the Criminal Law and Procedure (Ireland) Act, 1887, shall be guilty of an offence against these regulations.

(2) If any person, without lawful authority or excuse, has in his possession any document relating or purporting to relate to the affairs of any such association, or emanating or purporting to emanate from an officer of any such association, or addressed to the person as an officer or member of any such association, or indicating that he is an officer or member of any such association, that person shall be guilty of an offence against these regulations unless he proves that he did not know or had no reason to suspect that the document was of any such character as aforesaid or that he is not an officer or member of the association.

Where a person is charged with having in his possession any such document, and the document was found on premises in his occupation, or under his control, or in which he has resided, the document shall be presumed to have been in his possession unless the contrary is proved.

25. No person shall by word of mouth or in writing, or in any newspaper, periodical, book, circular, or other printed publication—

(a) spread false reports or make false statements ; or

(b) spread reports or make statements intended or likely to cause disaffection to His Majesty, or to interfere with the success of any police or other force acting for the preservation of the peace or maintenance of order in Northern Ireland ; or

(c) spread reports or make statements intended or likely to prejudice the recruiting or enrolment of persons to serve in any police or other force enrolled or employed for the preservation of the peace or maintenance of order in Northern Ireland, or to prejudice the training, discipline, or administration of any such force ; and no person shall produce any performance on any stage, or exhibit any picture or cinematograph film, or commit any act which is intended or likely to cause any disaffection, interference or prejudice as aforesaid, and if any person contravenes any of the above provisions he shall be guilty of an offence against these regulations.

If any person without lawful authority or excuse has in his possession or on premises in his occupation or under his control, any document containing a report or statement the publication of which would be a contravention of the foregoing provisions of this regulation,

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A.D. 1922.

he shall be guilty of an offence against these regulations, unless he proves that he did not know and had no reason to suspect that the document contained any such report or statement, or that he had no intention of transmitting or circulating the document or distributing copies thereof to or amongst other persons.

26. The civil authority may by notice prohibit the circulation of any newspaper for any specified period, and any person circulating or distributing such newspaper within such specified period shall be guilty of an offence against these regulations.

27. If any person in any newspaper, periodical, circular or other printed publication, or in any public speech, without lawful authority shall publish the contents of any confidential document belonging to, or of any document which has in confidence been communicated by, or any confidential information obtained from, any Department of the Government of Northern Ireland, or any person in the service of that Government, such first mentioned person shall be guilty of an offence against these regulations.

28. Every document purporting to be an order or other instrument issued by the civil authority and to be signed by that authority shall be received in evidence and be deemed to be such an order or instrument without further proof unless the contrary is shown, and the Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply as if the civil authority were mentioned in the first column of the schedule to the first-mentioned Act, and as if the civil authority or any person authorised by the civil authority to act on his behalf were mentioned in the second column of that schedule.

29. The powers conferred by these regulations are in addition to and not in derogation of any powers exerciseable by the civil authority and other persons to take such steps as may be necessary for securing the preservation of the peace or maintenance of order, and save as otherwise expressly provided by these regulations nothing in these regulations shall affect the liability of any person to trial and punishment for any offence or crime otherwise than in accordance with these regulations. Provided that no person shall be liable to be punished twice for the same offence or crime.

30. The civil authority, or any other person by whom an order is made in pursuance of these regulations, shall publish notice of the order in such manner as he may consider best adapted for informing persons affected by the order, and no person shall, without lawful authority, deface or otherwise tamper with any notice posted up in pursuance of these regulations, or any other notice, advertisement or placard, relating to any matters connected with the preservation of the peace or maintenance of order, exhibited or posted up under lawful authority, and if he does so shall be guilty of an offence against these regulations.

31. Any person claiming to act under any permit or permission granted under or for the purposes of these regulations shall, if at any

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time he is required to do so by the civil authority or any person authorised by him, or by any officer of police, produce the permit or permission for inspection, and if he refuses to do so he shall be guilty of an offence against these regulations.

Any permit or permission granted under or for the purposes of any provision of these regulations may at any time be revoked.

32. In addition and without prejudice to any powers which a court may possess to order the exclusion of the public from any proceedings, if in the course of such proceedings application is made by the prosecution on behalf of the civil authority that in the public interest all or any portion of the public shall be excluded during any part of the hearing, the court may make an order to that effect.

33. If it is made to appear to a county court judge or recorder that personal service of any civil bill returnable to his court, or such other service as is by law prescribed, cannot be effected owing to the prevalence of a state of disorder or otherwise, he may, in addition and without prejudice to any other powers in that behalf, make such order for substituted or other service, or for the substitution for service of notice by advertisement or otherwise as may seem just, or may declare the service actually effected sufficient.

34. For the purposes of the trial of a person for an offence under these regulations, or under the Firearms Act, 1920, by a court of summary jurisdiction and the punishment thereof, the offence shall be deemed to have been committed either at the place in which the same actually was committed or in any place in which such person may be or to which he may be brought, and the trial, or any proceedings antecedent thereto or connected therewith, may take place on any date appointed by a resident magistrate having jurisdiction in such place, and a summons may be issued by a justice to a witness who is not within his jurisdiction, and any such summons may be issued, served and enforced in the same manner as a summons to a witness within the jurisdiction of the issuing justice.

35. These regulations shall not, save as therein expressly provided, be construed as applying to members of His Majesty's forces when acting within the scope of their duties.

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A.D. 1922.

CHAPTER 6.

An Act to make special provision for the trial of persons charged with serious crimes in Northern Ireland, and for purposes connected therewith.

[13th April, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Special court for serious crimes.

1.—(1) Where any person charged with a serious crime is committed for trial, he shall

(*a*) if he so requests, or

(*b*) if the Attorney General for Northern Ireland so directs,

be tried by the court established under this Act.

(2) There shall be established for the purposes of this Act, and for such time as this Act continues in force, a court to be called the special court, which shall be constituted of the Lord Chief Justice of Northern Ireland and the two ordinary judges of the Court of Appeal, with the consent of the said Lord Chief Justice and judges; and the special court, when trying any person charged and committed as aforesaid, shall consist of two judges sitting together, of whom the said Lord Chief Justice shall always be one, and shall sit without a jury.

(3) For the purposes of this Act, a serious crime means any crime or offence punishable by death, penal servitude or imprisonment for a term exceeding six months, and being a crime or offence specified in the Schedule to this Act.

Powers, procedure and rules of special court.

2. For the purposes of the establishment and constitution of the special court and the trial by the special court of any person charged and committed as aforesaid, the following provisions shall have effect:—

(1) The special court shall have all the powers, authorities and jurisdiction which would, apart from this Act, have been vested in a court of assize or other court or commission sitting for the trial of the crime or offence, and shall have power to determine any question

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A.D. 1922.

and to find any issue or verdict which would, apart from this Act, be required to be determined or found by a jury.

(2) The special court shall have an office in the city of Belfast and shall sit, for the trial of crimes or offences under the provisions of this Act, in the county of the city of Belfast, or in such other county as the special court in any particular case shall direct, and the special court shall, whether sitting in the county in which the crime or offence was committed or in which the accused person was returned for trial or elsewhere, have the same powers, authorities and jurisdiction as if sitting in the county in which the crime or offence was committed, or in which the accused person was returned for trial.

(3) Subject to the provisions of this Act and to any rules made thereunder, the existing enactments, procedure, and practice relating to the trial by a court of assize of any crime or offence, or to matters preliminary to such trial, shall, so far as the same are applicable and with the necessary modifications, apply in the case of the trial of any crime or offence by the special court.

(4) Without prejudice to the powers, authorities and jurisdiction hereinbefore conferred upon the special court, sentence of death passed by the special court shall be carried into effect in such county or place and by such sheriff or other officer as the special court shall direct.

(5) A request to be tried by the special court shall be made forthwith upon the committal for trial of the person charged with the crime or offence, and shall be made to the justices so committing such person for trial.

(6) Any direction by the Attorney General for Northern Ireland for the trial of a person by the special court shall be given not later than fourteen days after the person charged with the crime or offence shall have been committed for trial, and notice of such direction shall be forthwith given to such person.

(7) The Lord Chief Justice of Northern Ireland, after consultation with the two ordinary judges of the Court of Appeal, may make all such rules as may be necessary for carrying this Act into effect, including rules for all or any of the following matters, that is to say :—

(*a*) For adapting for the purposes of this Act the procedure on and preliminary to the trial of criminal cases, including the forms of indictment or other

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A.D. 1922.

documents, and for prescribing the forms of and manner of dealing with, notifying, or transmitting to the special court informations, depositions, examinations, statements, recognizances, requests and directions sworn, taken, acknowledged, made or given in any case which is to be tried by the special court.

(*b*) For prescribing, and, if necessary, providing for the performance of, such duties as are proper to be performed by officers on behalf of the special court, and for regulating the employment of officers for such duties.

(*c*) For applying or adapting for the purposes of this Act any enactment or rule relating to any of the foregoing matters.

(*d*) Generally, for regulating any matter relating to the establishment of the special court or its procedure under this Act, for which provision is not expressly made therein.

Duration of Act:

3. This Act shall continue in force for one year and no longer, unless Parliament otherwise determines.

Short title.

4. This Act may be cited as the Criminal Procedure Act (Northern Ireland), 1922.

SCHEDULE.

Section 1 (3)

Serious Crimes to which this Act applies.

(1) Treason or treason felony.

(2) Murder or manslaughter.

(3) Assault which either causes actual bodily harm or grievous bodily harm or is committed with intent to cause grievous bodily harm.

(4) Arson whether by common law or by statute.

(5) Any crime or offence cognisable by law involving (*a*) the breaking into, firing at or otherwise attacking or injuring a dwelling house; (*b*) larceny or robbery with threats or violence; (*c*) malicious injury or damage to or destruction of any property whatsoever, including any crime or offence under the Malicious Damage Act, 1861.

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(6) Any crime or offence against the Explosive Substances Act, 1883, or the Firearms Act, 1920. A.D. 1922.

(7) Any attempt or conspiracy to commit any of the said crimes or offences or being accessory to or aiding or abetting the commission thereof.

CHAPTER 7.

An Act to amalgamate the rates of contribution and the rates of benefit under the Unemployment Insurance Acts, 1920 and 1921, and the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, in their application to Northern Ireland, otherwise to amend the Unemployment Insurance Acts, 1920 and 1921, and to repeal the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, in their application as aforesaid, and for purposes connected therewith. [13th April, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Amalgamation with unemployment benefit of grants payable under 11 & 12 Geo. 5. c.62 in respect of certain dependants.

1.—(1) Where a person entitled to benefit is a married man, whose wife is living with him or is being maintained wholly or mainly by him, or being a widower or an unmarried man has residing with him any female person for the purpose of having the care of his dependent children and is maintaining that person, or has and has had living with him as his wife any female person, or where the person entitled to benefit is a married woman who has a husband dependent on her, the weekly rate of benefit authorized by the Unemployment Insurance Acts, 1920 and 1921, shall be increased by a sum of five shillings, and where the person so entitled has dependent children the weekly rate of benefit shall be increased by one shilling in respect of each such child:

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A.D. 1922.

Provided that the additional sum of five shillings shall not be payable in respect of a wife or female person who is in receipt of benefit (including benefit under any special scheme), or who is in regular wage-earning employment otherwise than as having the care of the dependent children of the person entitled to benefit, or is engaged in any occupation ordinarily carried on for profit.

(2) If any question arises as to whether any addition ought to be made to the weekly rate of benefit in respect of any wife or other female person, or any husband or any child, that question shall be decided by the Ministry.

(3) Paragraph 6 of the Second Schedule to the principal Act (which limits the power of the Ministry to prescribe rates and periods of benefit) shall have effect as though for the words from "the rate of benefit" to "for women" (where the last-mentioned words secondly occur), both inclusive, there were substituted the words "or reduce any of the rates of benefit for the time being "in force by more than two shillings per week."

(4) This section shall continue in operation so long as the rates of contribution fixed by this Act remain in force.

Rates of contribution.

2. The contributions payable under the Unemployment Insurance Acts, 1920 and 1921, in respect of employed persons by those persons and their employers shall, until the end of the deficiency period as defined in section sixteen of the Unemployment Insurance (No. 2) Act, 1921, be at the rates set out in Part I. of the First Schedule to this Act, and the contribution to be made out of moneys provided by Parliament shall until the end of the said period be a contribution of such an amount as may be determined by the Ministry of Finance to be approximately equivalent, having regard to the estimated proportions in which contributions are payable in respect of men, women, boys and girls, to the sum which would be produced by weekly contributions paid in respect of insured and exempt persons at the rates specified in Part II. of the said Schedule.

Termination of second special period under

3.—(1) The provisions of Act No. 1 of 1921 and Act No. 2 of 1921 shall have effect as though the second special period defined in section nine of Act No. 1 of 1921

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(in this Act referred to as "the second special period") were expressed to terminate on the fifth day of April, nineteen hundred and twenty-two, instead of on the second day of July, nineteen hundred and twenty-two.

and new special periods.

(2) For the purposes hereinafter in this Act mentioned there shall be two further special periods, that is to say, the period from the sixth day of April, nineteen hundred and twenty-two, to the first day of November, nineteen hundred and twenty-two (hereinafter referred to as "the third special period"), and the period from the second day of November, nineteen hundred and twenty-two, to the first day of July, nineteen hundred and twenty-three (hereinafter in this Act referred to as "the fourth special period"), the days above-mentioned being in all cases inclusive.

(3) Paragraph 2 of the Second Schedule to the principal Act (which as amended by section four of Act No. 1 of 1921, provides that after the second day of July, nineteen hundred and twenty-two, no person shall within any insurance year receive unemployment benefit for a period of more than twenty-six weeks, or such other period as may be prescribed) shall not operate during the third and fourth special periods.

Provisions with respect to benefit in third and fourth special periods.

4.—(1) If it appears to the Ministry that, having regard to all the circumstances of the case, it is expedient in the public interest that a person, notwithstanding that by reason that he does not satisfy the first statutory condition, or that he is disqualified under sub-section (4) of section eight of the principal Act for receiving benefit, or (except as hereinafter otherwise expressly provided) by reason of the provisions of paragraph 3 of the Second Schedule to the principal Act, he may not be entitled to receive benefit, should be allowed to receive benefit in the third or the fourth special period, as the case may be, the Ministry may, subject to the provisions of this section, authorise that person to receive benefit—

(*a*) during the third special period for periods not exceeding in the aggregate fifteen weeks;

(*b*) during the fourth special period for periods not exceeding in the aggregate twelve weeks and, subject to the provisions of paragraph 3 of the Second Schedule to the principal Act (which provides that a person shall not receive more

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A.D. 1922.

benefit than in the proportion of one week's benefit for every six contributions paid), for two further periods, neither of which shall exceed in the aggregate five weeks.

(2) When and so often as a person has received benefit under this section in the third special period for periods amounting in the aggregate to five weeks, he shall cease to be qualified for the receipt of benefit in the third special period until the expiration of five weeks from the end of the last period in respect of which benefit was payable, and if at any time before the seventeenth day of April, nineteen hundred and twenty-two, the amount of benefit received by any person since the commencement of the second special period amounts in the aggregate to twenty-two weeks, he shall not be qualified for receiving any further benefit until the said seventeenth day of April.

(3) The Ministry shall not authorise any person to receive benefit under this section unless that person proves—

(*a*) That he is normally employed in such employment as would make him an employed person within the meaning of the principal Act:

(*b*) That he is genuinely seeking, but unable to obtain, whole-time employment:

(*c*) Either that not less than twenty contributions have been paid in respect of him under the principal Act, or that, having regard to the opportunities of employment in his normal employment, he has since the thirty-first day of December, nineteen hundred and nineteen been employed for a reasonable length of time in some occupation employment in which would if the principal Act had been in force during the whole period of his employment have made him an employed person within the meaning of that Act, or, in the case of a person formerly engaged in war service, that he had been so employed before becoming so engaged, or had no opportunity owing to his youth of being so employed.

For the purposes of paragraph (*c*) aforesaid the Ministry may, in the case of any person formerly engaged

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in war service who has, at the cost of funds, administered by the Minister of Labour of the United Kingdom or the Minister of Pensions thereof, undergone training for an occupation employment in which would have made him an employed person, treat that training as if it were employment which would, if the principal Act had been in force during the period of training, have made that person an employed person within the meaning of that Act.

(4) For the purpose of qualifying a person to receive, within either the third or the fourth special period, benefit up to the aggregate amount which may be authorised by the Ministry under this Act, but for no other purpose, there shall be treated as having been paid in respect of him such number of contributions as are sufficient so to qualify him.

(5) Notwithstanding anything in the Unemployment Insurance Acts, 1920 and 1921, or in this Act, no person shall be entitled to receive benefit in the third special period for periods amounting in the aggregate to more than fifteen weeks, or in the fourth special period for periods amounting in the aggregate (except as hereinbefore otherwise expressly provided) to more than eighteen weeks.

(6) No person who holds, or who has at any time held, a certificate of exemption under section three of the principal Act shall be entitled to benefit under this section.

(7) If any question arises as to whether any person satisfies the requirements of this section, the question shall be decided by the Ministry.

Provision for temporary payment of benefit.

5. In the case of a person who has satisfied the requirements for the receipt of benefit under the provisions of Act No. 1 of 1921, or under that Act as amended by Act No. 2 of 1921, the Ministry may, during such period as may be necessary for the examination of his qualifications for the receipt of benefit under this Act, but not exceeding six weeks next after the passing of this Act, authorise payment of benefit to him under this Act as if he were a person who complied with the requirements thereof.

Calculation of contributions.

6.—(1) For the purpose of determining the amount of benefit to which, having regard to the proportion of benefit to contributions fixed by paragraph 3 of the Second Schedule to the principal Act, any person is entitled—

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A.D. 1922.

(*a*) no account shall be taken during the fourth special period of any benefit which may have been received by that person between the seventh day of November, nineteen hundred and twenty, and the commencement of the fourth special period, or, where the benefit to be granted is benefit for either of the two further periods of five weeks hereinbefore mentioned, of any benefit received up to the aggregate of twelve weeks within the fourth special period, and during the fourth special period, each of the total number of contributions actually paid in respect of him, after deducting from that total five contributions in respect of each week of benefit received by him before the eighth day of November, nineteen hundred and twenty, shall be treated as equivalent to two contributions; and

(*b*) after the termination of the fourth special period no account shall be taken of any benefit which may have been received by that person between the seventh day of November, nineteen hundred and twenty, and the termination of the fourth special period.

(2) Where for the purpose of qualifying a person to receive benefit either under Act No. 1 of 1921, Act No. 2 of 1921, or this Act, any contributions have from time to time been treated as having been paid in respect of him, no regard shall, for the purpose of determining the amount of benefit to which, having regard to the proportion aforesaid, he is entitled, be taken of any contributions actually paid in respect of him at any time except in so far as the contributions so actually paid exceed for the time being the number of contributions which would have been required to entitle him to the amount of benefit received by him if no contributions had been treated as paid.

Amendment of s. 12 (3) of principal Act.

7. The proviso to subsection (3) of section twelve of the principal Act (which provides that such sum as the Ministry of Finance may direct not exceeding one-tenth of the receipts of the Northern Irish unemployment fund shall be applied as an appropriation in aid of the moneys provided by Parliament for the purpose of the salaries, remuneration and expenses therein mentioned) shall have effect as though "one-eighth" was substituted for "one-tenth."

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A.D. 1922.

Local employment committees.

8. Any question which under the provisions of Act No. 1 of 1921, as amended by Act No. 2 of 1921, and this Act, is referable to a court of referees, may, in any district for which a local employment committee has been established, be referred to that committee instead of to such court, and the said Acts shall be construed accordingly.

Amendment of s.12 of 11 & 12 Geo. 5, c. 15.

9. The following sub-section shall be added to section twelve of Act No. 2 of 1921 :—

(2) Where the rules of a society or other association authorise payments in respect of unemployment to be made at different rates or for different periods in the case of different classes of its members, the Ministry may, if satisfied that the total provision for unemployment made by the rules is on the whole equivalent to the provision necessary to satisfy the requirements of the said proviso, make or continue, notwithstanding anything in the said proviso, an arrangement with that society or association under the said section seventeen :

Provided that nothing in this section shall authorise an arrangement to be made or continued in respect of any class of members of a society or association in the case of which the payments authorised by the rules of the society or association do not exceed the provision represented by unemployment benefit at the rate payable under the principal Act as amended by any subsequent enactment.

Nursing to be an excepted employment.

10.—(1) Part II. of the First Schedule to the principal Act shall have effect as though there were inserted therein after paragraph (*b*) the following new paragraph :—

(*bb*) Employment as a female professional nurse for the sick or as a female probationer undergoing training for employment as such a nurse.

(2) This section shall come into operation on the first day of July, nineteen hundred and twenty-two.

Legal proceedings.

11. Subsection (1) of section twenty-two of the principal Act, which provides that a person who for the purpose of obtaining benefit or for certain other purposes knowingly makes any false statement or false representation shall be liable to imprisonment for a term not exceeding three months, shall have effect as though six months were therein substituted for three months.

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A.D. 1922.

Amendment of s. 9 (4) of 11 Geo. 5 c. 1.

12. Subsection (4) of section nine of Act No. 1 of 1921 (which contains a saving with respect to the provision for unemployment benefit which may be required to be made by an association for the purposes of section seventeen of the principal Act) shall have effect as though the second day of July, nineteen hundred and twenty-three, were therein substituted for the third day of November, nineteen hundred and twenty-one, and as though the words "under the principal Act as originally enacted" were substituted for the words "if this Act had not passed" where those words secondly occur.

Provision as to Unemployed Workers' Dependants Fund

13.—(1) Any balance remaining in the Northern Irish unemployed workers' dependants fund on the date upon which this Act comes into force shall be apportioned equitably in accordance with directions to be given by the Ministry between the Northern Irish unemployment fund and the several funds out of which benefits under any special schemes are payable.

(2) For the purposes of subsection (1) of section five of the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, which authorises an amount equal to the expenses incurred by the Ministry in carrying that Act into effect to be paid out of that fund, and applied as an appropriation in aid, the expenses so incurred by the Ministry shall be treated as having amounted to ten per centum of the receipts of the fund.

(3) Subject as hereinbefore in this section provided, the Northern Irish unemployed workers' dependants fund constituted under the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, shall be deemed to have been as from the date on which it came into existence part of the Northern Irish unemployment fund, and all contributions and sums which under that Act are payable into the Northern Irish unemployed workers' dependants fund and which are outstanding at the commencement of this Act shall be paid into the Northern Irish unemployment fund.

The Ministry may give directions with respect to the adjustment of accounts between the said unemployment fund and the said unemployed workers' dependants fund.

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A.D. 1922.

Amendment as to outdoor relief.

14.—(1) In any case in which a board of guardians or relieving officer has granted outdoor relief to a person not in receipt of benefit, in excess of the amount which would have been granted if that person had been in receipt of benefit, the Ministry may, if a claim by that person for benefit in respect of any part of the period during which relief has been so granted is subsequently allowed, treat the benefit allowed in respect of that person as reduced for the purposes of this section by an amount not exceeding such an amount as the board of guardians certify to have been so paid in excess in respect of the period for which the benefit was allowed, and the Ministry may pay to that board of guardians the amount by which the benefit is treated as having been reduced as aforesaid, so, however, that the total charge on the unemployment fund shall not be greater than the amount of the benefit allowed.

(2) Section twenty-seven of the principal Act (which relates to out-door relief) shall cease to have effect, and in determining whether outdoor relief shall or shall not be granted to a person in receipt of or entitled to receive benefit (including benefit under a special scheme), the authority having power to grant the relief shall take into account the amount of the benefit.

Power to adapt special schemes to the provisions of this Act.

15. For the purpose of securing, in the case of a special scheme, that the like additions shall be made to the weekly rate of benefit payable to persons to whom the scheme applies as are under this Act to be made to the weekly rate of benefit payable to persons subject to the general provisions of the Unemployment Insurance Acts, 1920 and 1921, as amended by this Act and that the benefits under the scheme shall otherwise be not less favourable than those provided by the said general provisions (but for no other purposes), the Ministry may, after consultation with the body charged with the administration of the scheme, notwithstanding anything in section eighteen of the principal Act, by order vary or amend the provisions of the scheme and any such order may provide for consequential amendments as to rates of contributions and otherwise.

Construction, saving, short title, and commencement.

16.—(1) In this Act, unless the context otherwise requires :—

The expression "person formerly engaged in war service" means any person belonging to the classes of persons to whom the scheme in force at the commencement of Act No. 1 of 1921 for

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A.D. 1922.

paying donation in respect of unemployment to discharged sailors, soldiers, and other persons applies, or would have applied if it had continued in force.

The expression "a dependent child" means any child under the age of fourteen years who is maintained wholly or mainly at the cost of the person entitled to benefit, or any child between the ages of fourteen and sixteen who is under full-time instruction in a day school and is so maintained as aforesaid:

The expression "child" includes a stepchild, an adopted child, and an illegitimate child:

The expression "local employment committee" means any local committee to which questions may be referred under subsection (5) of section thirteen of the principal Act, or under this Act:

The expression "the Ministry" means the Ministry of Labour for Northern Ireland:

The expression "benefit" means unemployment benefit under the Unemployment Insurance Acts, 1920 and 1921:

The expression "the principal Act" means the Unemployment Insurance Act, 1920, the expression "Act No. 1 of 1921" means the Unemployment Insurance Act, 1921, and the expression "Act No. 2 of 1921" means the Unemployment Insurance (No. 2) Act, 1921; and references to the principal Act, Act No. 1 of 1921, and Act No. 2 of 1921 shall be construed as references to those Acts as they apply to Northern Ireland under the provisions of the Government of Ireland Act, 1920, and subject to any adaptation made by any Order of His Majesty in Council in pursuance of those provisions.

For the purposes of this Act a husband shall be deemed to be dependent on his wife if he is prevented by physical or mental infirmity from supporting himself and is being maintained wholly or mainly by her.

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A.D. 1922.

(2) If any question arises as to whether any person is a person who was formerly engaged in war service within the meaning of this Act, that question shall be decided by the Ministry.

(3) The decision of the Ministry upon any question which, under this Act is to be decided by it, shall be final and conclusive and not subject to appeal to any court.

The Ministry may, if it sees fit, refer any such question to a court of referees or a local employment committee for their report and recommendation.

(4) Save as in this Act otherwise expressly provided, nothing therein contained (other than such parts thereof as provide for terminating the second special period and for repealing enactments) shall operate so as to deprive any person of, or to prevent any person from receiving, any benefit which he would have been entitled to receive if this Act had not been passed.

(5) The enactments set out in the Second Schedule to this Act are hereby repealed as respects Northern Ireland to the extent mentioned in the third column of that Schedule.

(6) This Act may be cited as the Unemployment Insurance Act (Northern Ireland), 1922, and shall be construed as one with the Unemployment Insurance Acts, 1920 and 1921, to the extent to which those Acts are in force in Northern Ireland, and those Acts and this Act may accordingly be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1922.

(7) This Act shall (except as therein otherwise expressly provided) be deemed to have had effect as from the sixth day of April, nineteen hundred and twenty-two.

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A.D. 1922.

SCHEDULES.

Section 2.

FIRST SCHEDULE.

PART I.

RATES OF CONTRIBUTIONS BY EMPLOYED PERSONS AND EMPLOYERS.

Ordinary Rates.

From the employed person for each week :—

In the case of men	9*d.*
In the case of women	7*d.*

From the employer for each week :—

In the case of an employed person being a man	10*d.*
In the case of an employed person being a woman	8*d.*

Rates in the case of persons under eighteen.

From the employed person for each week :—

In the case of boys	4½*d.*
In the case of girls	4*d.*

From the employer for each week :—

In the case of an employed person being a boy	5*d.*
In the case of an employed person being a girl	4½*d.*

PART II.

RATES OF CONTRIBUTION OUT OF MONEYS PROVIDED BY PARLIAMENT.

Ordinary Rates.

For every contribution paid in respect of a man	6¾*d.*
For every contribution paid in respect of a woman	5¼*d.*

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Rates in the case of persons under eighteen.

For every contribution paid in respect of a boy - - - - - - - - - $3\frac{7}{8}d.$

For every contribution paid in respect of a girl - - - - - - - - - $3\frac{5}{8}d.$

Rates in the case of exempt persons.

For every contribution paid in respect of a man - - - - - - - - - $2d.$

For every contribution paid in respect of a woman - - - - - - - - $1\frac{3}{4}d.$

For every contribution paid in respect of a boy - - - - - - - - $1d.$

For every contribution paid in respect of a girl - - - - - - - - $\frac{7}{8}d.$

SECOND SCHEDULE.

Section 16 (5)

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
11 Geo. 5, c. 1	Unemployment Insurance Act, 1921.	Subsection (2) of section two.
11 & 12 Geo. 5 c. 62	Unemployed Workers' Dependants (Temporary Provision) Act, 1921.	The whole Act.

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CHAPTER 8.

A.D. 1922.

An Act to provide for the establishment, management and control of the Royal Ulster Constabulary, and to amend the law with respect to the appointment of Resident Magistrates and Special Constables in Northern Ireland, and for purposes connected herewith. [31st May, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Establishment of Royal Ulster Constabulary

1.—(1) There shall be established in Northern Ireland, on and after the appointed day, a police force to be called, with the consent of His Majesty, the Royal Ulster Constabulary.

(2) The general government, direction and superintendence of the Royal Ulster Constabulary shall be vested in the Inspector-General thereof, and the force shall consist of such and so many officers and constables as are specified in the First Schedule to this Act, and shall be distributed in the manner set forth in that Schedule.

(3) The enactments relating to the Royal Irish Constabulary, and the management and control of that force, shall, subject as in this Act provided, apply to the Royal Ulster Constabulary, and the management and control thereof, as if enacted in this Act.

(4) Where any enactment or other provision of law provides for the exercise of any power by, or imposes any duty on, any officer or constable of the Royal Irish Constabulary, that enactment or provision shall, subject as in this Act provided, have effect in Northern Ireland as if the said power were exerciseable by, or the said duty were imposed on, the officer or constable, by whatever title designated, of the Royal Ulster Constabulary having corresponding rank and functions, and references in any such enactment or provision to any officer or constable of the Royal Irish Constabulary shall be construed accordingly.

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Appointment, removal, pay and pensions of Constabulary.

2.—(1) The Lord Lieutenant may appoint and remove each officer and constable of the Royal Ulster Constabulary, but all other powers which, in relation to the Royal Irish Constabulary, were exciseable by the Lord Lieutenant or the Lord Lieutenant in Council, shall, in relation to the Royal Ulster Constabulary, be vested in and exciseable by the Minister, and in the enactments applied to the Royal Ulster Constabulary and the management and control thereof, the Minister shall, except as in this Act provided, be substituted for the Lord Lieutenant or the Lord Lieutenant in Council, as the case requires.

9 & 10 GEO. 5. C. 68.

(2) The power conferred on the Minister by the Constabulary and Police (Ireland) Act, 1919, as applied and modified by this Act, to make orders as to, and prescribe the rates and scales of, the pay, pensions and allowances of members of the Royal Ulster Constabulary shall extend so as to enable the Minister to provide by any such order for recognising, for the purposes of such pay, pensions and allowances, the rank, period of service or record of any such member in the Royal Irish Constabulary, special constabulary, or other police force specified in such order.

(3) The requirements of sub-section (2) of section four of the said Constabulary and Police (Ireland) Act shall not be applicable in the case of any order made by the Minister under the said section within a period of twelve months from the passing of this Act.

Free quota and additional constabulary for counties and boroughs.

3.—(1) The Minister shall have power from time to time to prescribe the number of sergeants and constables of the Royal Ulster Constabulary to be assigned to each county and county borough, and the number for the time being so assigned to any county or county borough may be referred to for all purposes as the free quota thereof:

Provided that the total number of sergeants and constables to be assigned as free quota shall not exceed the number authorised by the provisions of the First Schedule to this Act to be distributed in respect of the county and county borough force.

(2) The Minister shall have power to direct an additional force of the said Constabulary to be stationed in any county or county borough in any case where, and

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A.D. 1922.

for so long as, he deems such force to be necessary; and the officers and constables of an additional force so stationed shall have the same rights, powers and authorities, and be subject to the same rules, regulations and orders in the county or county borough in which they are stationed as if they formed part of the force appointed or assigned to that county or county borough.

(3) The enactments relating to the stationing of any additional or reserve force of the Royal Irish Constabulary in any county or county borough, and to the chargeability of the cost of any such force, shall not apply for the purposes of this Act.

Financial provisions.

4.—(1) The costs, charges and expenses incurred in respect of the Royal Ulster Constabulary shall be paid out of moneys provided by Parliament:

Provided that, in any case in which an additional force of that Constabulary is stationed in a county or county borough by direction of the Minister, one-half of the cost of such additional force, to the extent to which that force exceeds the free quota, and calculated at the prescribed rate, and according to the prescribed method, for each sergeant and constable in excess of the free quota, shall be payable by the council of such county or county borough out of such local rate, in such manner and upon such conditions as may be prescribed.

(2) The enactments relating to the payment by the councils of the county boroughs of Belfast and Londonderry of sums in respect of the salary of any officer of the Royal Irish Constabulary appointed therefor, or of the cost of any constables of the said Constabulary employed therein as night watchmen, shall not apply in relation to the salary of any officer or the cost of any constable of the Royal Ulster Constabulary so appointed or employed.

(3) The prescribed rate, and the method of calculation, shall be uniform as respects the counties which are not county boroughs, but a special rate, and special method of calculation, may be fixed for each county borough, having regard to the special circumstances thereof.

(4) Any sum payable by the council of a county (other than a county borough) under this section shall

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A.D. 1922.

be raised either off the county-at-large or off any county district or districts therein, according as the Minister may direct.

(5) A fund shall be established in accordance with regulations made by the Ministry of Finance for Northern Ireland, and shall be administered in such manner as may be prescribed, for the reward or benefit of members of the Royal Ulster Constabulary, and there shall be paid into that fund the following sums:—

(*a*) Any fines imposed on any officer or constable of the said Constabulary;

(*b*) Any fines, penalties, proportions of fines or penalties and damages awarded by any justice to any such officer or constable, on any summary conviction, as the prosecutor of any information or otherwise or directed by a Court to be paid into the said fund; and

(*c*) Any fees which may be allowed by law to be taken by any such constables as inspectors of weights and measures, so far as those fees are applicable to the said fund.

6 & 7 Will 4, c. 13.

(6) The provisions of section thirty-eight of the Constabulary (Ireland) Act, 1836, with respect to the counter-signing of drafts or orders for money drawn by the receiver, shall not apply for the purposes of this Act.

Temporary provisions.

5. During a period of three months from the appointed day the Inspector-General, or, by direction of the Inspector-General, any commissioner or county inspector of the Royal Ulster Constabulary may authorise any fit person, having been an officer or constable of the Royal Irish Constabulary and having retired from the latter force in pursuance of any Act of the Parliament of the United Kingdom including provisions for the disbandment thereof, to discharge in Northern Ireland the duties and exercise therein the powers, which were, prior to his retirement, appropriate to such officer or constable, and any such officer or constable so authorised shall during the said period be deemed to be an officer or constable of the Royal Ulster Constabulary, having corresponding rank and functions, notwithstanding that he has not been appointed as an officer or constable of the last-mentioned Constabulary, or has not taken the oaths

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A.D. 1922.

required by this Act to be taken by an officer or constable of the last-mentioned constabulary.

Jurisdiction of resident magistrates.

6. A magistrate appointed under the Constabulary (Ireland) Act, 1836, for any county or county of a city in Northern Ireland, who has duly taken the oaths required by law, shall have jurisdiction and authority in every other county and county of a city in Northern Ireland, whether adjoining to his proper county or county of a city or not.

Application of enactments relating to the Royal Irish Constabulary and power to make rules.

7.—(1) In the enactments relating to the Royal Irish Constabulary, and the management and control thereof, to the extent to which they are applied by this Act to the Royal Ulster Constabulary, the following modifications shall have effect, that is to say :—

(*a*) Subject to the provisions of this Act, and so far as is consistent with the purposes thereof, the provisions of the General Adaptation of Enactments (Northern Ireland) Order, 1921, and of any other Order in Council made under the Government of Ireland Act, 1920, and effecting adaptations of general application in relation to Northern Ireland shall apply to the said enactments.

10 & 11 GEO. 5. c. 67.

(*b*) The provisions of this Act shall apply to any order, scheme, rule, regulation or instrument made or issued under any of the said enactments in like manner as they apply to the enactment under which it was made or issued, and any such order, scheme, rule, regulation or instrument shall continue in force in like manner and subject to the like powers of revocation and alteration as if it had been made or issued under this Act.

(*c*) The form of oath contained in the Second Schedule to this Act shall be substituted for the form of oath contained in section seventeen of the Constabulary (Ireland) Act, 1836.

(*d*) Until the expiration of a period of twelve months from the passing of this Act, the limit of age specified in section fourteen of the Constabulary (Ireland) Act, 1836, shall not

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have effect, and after the expiration of such period " thirty-five years " shall be substituted in that section for " forty years."

(*e*) References in the Constabulary and Police (Ireland) Act, 1919, to the chief officer shall be construed as references to the Inspector-General of the Royal Ulster Constabulary ; the reference in the said Act to the rank of Assistant Inspector-General shall be construed as a reference to the rank of Deputy Inspector-General; and other references in any of the said enactments to an Assistant Inspector-General shall not apply.

(*f*) The provisions of Article 4 (3) of the Government of Ireland (Adaptation of Enactments) (No. 1.) Order, 1922, with respect to the powers and duties of the Inspector-General of the Royal Irish Constabulary in relation to the backing of warrants, shall not apply, but those powers and duties may be exercised and performed by any of the following officers of the Royal Ulster Constabulary, namely, the Inspector-General, the Deputy Inspector-General, a county inspector or a commissioner, and a warrant requiring to be backed for execution may be certified and transmitted to any of those officers.

(*g*) Each county inspector or commissioner shall act, in respect of the county, county borough, or other area for which he is appointed, in aid of and under and subject to the direction and control of the Inspector-General or Deputy Inspector-General, as the case requires.

(*h*) Notwithstanding anything contained in section two of the Constabulary (Ireland) Act, 1839, any fit person, being a duly qualified medical practitioner of seven years' standing, may be appointed as surgeon or medical officer at the depot of the Royal Ulster Constabulary. 2 & 3 Vict. c. 75.

(*i*) References to Dublin in section five of the Constabulary (Ireland) Act, 1836, and in the Constabulary (Ireland) Act, 1839, shall not apply.

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37 & 38 Vict. c. 80.

(*j*) The provisions of section seven of the Constabulary (Ireland) Act, 1874, shall not apply.

(2) The Minister may make all such rules as may appear to him necessary or proper for bringing this Act into full operation, or for adapting any of the provisions of the said enactments in such manner as to bring them into conformity with the provisions of this Act.

Provisions as to special constables.

8. The Special Constables Act, 1914, as adapted by Article 5 (3) of the Government of Ireland (Adaptation of Enactments) (No. 1) Order, 1922, shall have effect in Northern Ireland as extended and amended by the following provisions, that is to say :—

4 & 5 Geo. 5, c. 61.

2 & 3 Will. 4. c. 108.

(1) The regulations with respect to the appointment and position of special constables under the Special Constables (Ireland) Act, 1832, shall be made by the Minister.

(2) Special constables may be appointed for such period and to act for such county, county borough, or other area as may be prescribed.

10 & 11 Geo. 5, c. 5.

(3) The said Special Constables Act, 1914, as extended by the War Emergency Laws (Continuance) Act, 1920, shall have effect as if the words " during the present war or a period of twelve months after the termination thereof " were omitted therefrom.

(4) The reference in the said Special Constables Act, 1914, to the Acts relating to the Royal Irish Constabulary shall be construed as a reference to the enactments relating to the Royal Ulster Constabulary.

(5) Anything done or omitted on or after the twenty-second day of November, nineteen hundred and twenty-one, in relation to the appointment of special constables, or otherwise in the execution or purported execution of the Acts relating to special constables, shall be deemed to have been lawfully done or omitted if the act or omission was authorised by a Minister of Northern Ireland.

Definitions.

9. In this Act, unless the context otherwise requires:

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A.D. 1922

The expression "the Minister" means the Minister of Home Affairs for Northern Ireland:

The expression "officer," whether used in relation to the Royal Irish Constabulary or in relation to the Royal Ulster Constabulary, includes the Inspector-General, the Deputy Inspector-General, a commissioner or town inspector, a county inspector, a surgeon, a storekeeper and barrackmaster, and a district inspector:

The expression "constable," whether used in relation to the Royal Irish Constabulary or in relation to the Royal Ulster Constabulary, includes a head constable, sergeant, and constable:

The expression "prescribed" means prescribed by rules made by the Minister, and applying either generally or to any particular case specified therein:

The expression "additional force," in relation to the Royal Ulster Constabulary, means any force which, by reason of its being stationed in a county or county borough, causes the total number of sergeants and constables in that county or county borough to exceed the free quota, and whether taken from the reserve force or from another county or county borough.

Commencement and short title.

10.—(1) This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day for the purposes of this Act shall be such day as the Minister may appoint, either generally or with reference to any particular provision of this Act, and different days may be appointed for different provisions of this Act.

(2) This Act may be cited as the Constabulary Act (Northern Ireland), 1922.

FIRST SCHEDULE.

A. The general strength of the Force (including officers and constables of all ranks, and strength of Headquarters, Depot, Reserve, Counties and County Boroughs) shall not exceed 3,000, and the Force shall be distributed as specified in this Schedule: Section 1 (2). Section 3 (1).

Provided that, so long as the number of County and District Inspectors appointed is less than the total number of those ranks authorised by this Act, the number of Head Constables, Sergeants or Constables may be increased accordingly, within the limit fixed for the general strength of the Force.

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B. Distribution :—

1. Headquarters—

Inspector-General.
Deputy Inspector-General.

not exceeding
- 2 County Inspectors.
- 4 District Inspectors.
- 1 Head Constable.

2. Depot—

not exceeding
- 1 Medical Officer.
- 1 Commandant (with rank of County or District Inspector).
- 1 Police Instructor. (With rank of District Inspector.)
- 1 Barrack Master. (With rank of District Inspector.)
- 3 Additional District Inspectors.
- 2 Head Constables.

NOTE.—The Sergeants and Constables required at Headquarters, and for instructional purposes at the Depot, will be taken from the general strength of the Force.

3. Reserve Force—

not exceeding
- 2 District Inspectors.
- 2 Head Constables.
- 150 Sergeants and Constables.

4. County and County Borough Force—

(a) There shall be a Commissioner or Town Inspector for each of the County Boroughs of Belfast and Londonderry, being an officer of such rank in each case as the Minister may decide.

(b) There shall be a County Inspector for each County (other than a County Borough) :
Provided that a County Inspector may, if the Minister thinks fit, be assigned to two or more counties or to any other area or combination of areas which the Minister considers suitable, but so that the total number of County Inspectors does not at any time exceed six.

(c) There shall be a number of District Inspectors, not exceeding 38, and a number of Head Constables, not exceeding 64, to be distributed from time to time amongst the Counties and County Boroughs, as to the Minister seems fit.

(d) There shall be a total number of Sergeants and Constables not exceeding 2718, to be distributed from time to time amongst the said Counties and County Boroughs, as to the Minister seems fit.

Section 7 (1) (c)

SECOND SCHEDULE.

FORM OF OATH.

I, ...
swear by Almighty God that I will well and truly serve our Sovereign Lord the King and His Government of Northern Ireland, in the office of * ..... without favour or

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affection, malice or ill-will; that I will to the best of my power cause the Peace to be kept and preserved, and that I will prevent to the best of my power all offences against the same; and that, while I shall continue to hold the said office, I will faithfully, according to law, to the best of my skill and knowledge, discharge all the duties of the said office, and all such duties as may be attached to such office by law, and that I do not now belong to, and that I will not, while I shall hold the said office, belong to any association, society, or confederacy formed for or engaged in any seditious purpose, or any purpose tending to disturb the public peace, or in any way disloyal to our Sovereign Lord the King or His Government of Northern Ireland, and that I will not, while I shall hold the said office, engage or take part in the furthering of any such purpose, or take or administer, or assist or be present at or consent to the administering of, any oath or engagement binding myself or any other person to engage in any such purpose. A.D. 1922.

Sworn before me, one of His Majesty's Justices of the Peace, this.....day of.....19.....

.....J.P.

.....Signature of person appointed.

* Here insert description of office

CHAPTER 9.

An Act to amend section thirty-three of the Finance (1909-10) Act, 1910, and the Acquisition of Land (Assessment of Compensation) Act, 1919, in their application to Northern Ireland.

[20th June, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment of 10 Edw. 7 c. 8 and 9 & 10. Geo. 5 c. 57.

1.—(1) The reference committee constituted for the purposes of appeals relating to mineral rights duty under sub-section (1) of section thirty-three of the Act of 1910, and of appeals as to the value of real property under sub-section (3) of section sixty of the Act of 1910, and the panel of referees formed under sub-section (1) of section

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A.D. 1922.

thirty-four of the Act of 1910, shall be respectively the reference committee for the purposes of the Act of 1919 and the panel whose members are to determine questions under the Act of 1919; and references in the Act of 1919 to the reference committee and to official arbitrators shall be construed accordingly.

(2) The person to be appointed by the President of the Surveyors' Institution to act in his place as a member of the reference committee may be some person who, although he is not a member of the council of the said Institution, is in the opinion of the President otherwise qualified under section thirty-three of the Act of 1910 to act as a member of that committee.

(3) Section one of the Act of 1919 shall have effect with the following modifications, that is to say—

(*a*) In sub-section (3) the words "and whilst holding office shall not himself engage, or be a partner of any other person who engages, in private practice or business" are hereby repealed.

(*b*) Sub-section (4) shall have effect as if the word "fees" were substituted therein for the word "salaries."

(*c*) Sub-section (5) is hereby repealed.

(4) The appointment of any person as a member of a reference committee or panel of referees or arbitrators, and any rules of a reference committee, made or in force under the Act of 1910 or the Act of 1919 and before the passing of this Act, shall be and continue in force in like manner, and subject to the like powers of revocation and alteration, as if such appointment or rules had been made under this Act.

(5) In this Act the expressions "the Act of 1910" and "the Act of 1919" mean, respectively, the Finance (1909-10) Act, 1910, and the Acquisition of Land (Assessment of Compensation) Act, 1919, as those Acts apply to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, and any Order made by His Majesty in Council in pursuance of the last-mentioned Act.

10 & 11 Geo. 5, c. 67

Short title.

2. This Act may be cited as the Referees and Arbitrators (Procedure) Act (Northern Ireland), 1922

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CHAPTER 10.

A.D. 1922.

An Act to make provision for the establishment of a Joint Council in Northern Ireland for the purposes of the Midwives (Ireland) Act, 1918, and the Nurses Registration (Ireland) Act, 1919, and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Joint Council for purposes of 7 & 8 Geo. 5 c. 59 and 9 & 10 Geo. 5 c. 96.

1.—(1) For the purposes of the Nurses Registration Act and the Midwives Act there shall be established a Joint Nursing and Midwives Council for Northern Ireland (in this Act referred to as " the Joint Council "), which shall be a body corporate by that name with perpetual succession and a common seal and with power to acquire and hold land without licence in mortmain.

(2) The Joint Council shall be constituted in accordance with the provisions contained in the Schedule to this Act, or in accordance with such other provisions as may be made in that behalf under this Act.

(3) The seal of the Joint Council shall be authenticated in the prescribed manner, and any document purporting to be sealed with that seal so authenticated shall be receivable in evidence of the particulars stated in such document.

(4) The General Nursing Council for Northern Ireland and the Central Midwives Board for Northern Ireland shall not be established or formed, or if established or formed shall cease to exist.

(5) The provisions of the Nurses Registration Act and the Midwives Act shall have effect with the following modifications :—

(*a*) References in those Acts to the General Nursing Council for Northern Ireland, or the Central Midwives Board for Northern Ireland, shall be construed as references to the Joint Council.

(*b*) References in the Midwives Act to the Lord Lieutenant and the Privy Council of Ireland

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A.D. 1922.

shall be construed as references to the Minister of Home Affairs.

(*c*) The provisions of sub-section (4) of section three of the Nurses Registration Act shall apply to rules framed under section five of the Midwives Act.

(*d*) Section four of the Midwives Act, as modified by this Act, shall apply for the purpose of the revision of the constitution of the Joint Council.

(6) Section one of the Nurses Registration Act and section three of the Midwives Act are hereby repealed as respects Northern Ireland.

Provisions as to Register of Nurses and Midwives Roll.

2. The Register of Nurses for the Sick in Northern Ireland and the Midwives Roll for Northern Ireland shall be formed and kept by or under the instructions of the Joint Council, and any person who, by virtue of the Government of Ireland (Adaptation of Enactments) (No. 2) Order, 1922, is deemed to have been registered or certified under and for the purposes of the Nurses Registration Act or the Midwives Act shall be deemed to have been registered or certified, as the case requires, under the Nurses Registration Act or the Midwives Act as amended by this Act.

Interpretation.

3. In this Act, unless the context otherwise requires—

The expression "Nurses Registration Act" means the Nurses Registration (Ireland) Act, 1919, as that Act applies to Northern Ireland under the provisions of the Government of Ireland Act, 1920, and subject to any adaptation made by any Order of His Majesty in Council in pursuance of those provisions; and

10 & 11 Geo. 5, c. 67.

The expression "Midwives Act" means the Midwives (Ireland) Act, 1918, as that Act applies to Northern Ireland under the said provisions, and subject to any adaptation made as aforesaid.

Short title.

4. This Act may be cited as the Joint Nursing and Midwives Council Act (Northern Ireland), 1922.

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SCHEDULE.

CONSTITUTION OF JOINT COUNCIL.

1. The Joint Council shall consist of ten members.

2. On their first constitution the Joint Council shall be composed of the following persons, namely :—

Four persons appointed by the Minister of Home Affairs, of whom—

One shall be a medical officer of the Ministry of Home Affairs:

One shall be a person appointed, after consultation with the county and county borough councils in Northern Ireland, to represent those councils in connection with Midwives : and—

Two shall be registered medical practitioners, appointed after consultation with representative medical organisations in Northern Ireland.

Six persons appointed by the Minister of Home Affairs, who are or have at some time been nurses actually engaged in rendering services in direct connection with the nursing of the sick, of whom—

Two shall be qualified midwives appointed after consultation with representatives of the training institutions for midwives : and—

Four shall be appointed after consultation with representative associations or organised bodies of nurses and matrons in Northern Ireland, due regard being had to the desirability of including in the Joint Council persons having experience in the various branches of nursing.

3. The first members of the Joint Council shall hold office for such term, not exceeding three years from the commencement of this Act, as the Minister of Home Affairs may determine.

4. After the expiration of the term of office of their first members, the Joint Council shall be composed as aforesaid, except that the two registered medical practitioners shall be elected by the registered medical practitioners practising in Northern Ireland, and the six members who are or have been nurses shall be elected by persons registered as nurses in Northern Ireland ; and such elections shall be held in such manner as may be prescribed by the Joint Council.

5. Any members of the Joint Council other than the first members thereof shall hold office for a term of five years.

6. If the place of a member of the Joint Council becomes vacant before the expiration of his term of office, whether by death, resignation, or otherwise, the vacancy shall be filled by appointment by the Minister of Home Affairs, if the vacating member was an appointed member, or by co-option if the vacating member was an elected member.

The Joint Council in co-opting a member under the foregoing provision shall, so far as practicable, select a person who is representative of the same interests as those represented by the vacating member.

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A.D. 1922.

Any person appointed or co-opted to fill a casual vacancy shall hold office only so long as the member in whose stead he is appointed or co-opted would have held office.

7. Any member ceasing to be a member of the Joint Council shall be eligible for re-appointment, re-election, or co-option.

8. The powers of the Joint Council may be exercised notwithstanding any vacancy in their number.

CHAPTER 11.

An Act to provide for the Authorisation of Races with Motor Vehicles in Northern Ireland.

[10th June, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Authorisation of races with motor vehicles.

1.—(1) The county council of any administrative county in Northern Ireland may, on the application of any persons, by order declare that any public roads within the county may be used for races with motor vehicles during the whole or part of any days specified in the order, not exceeding three days in any year.

(2) The order shall contain all such provisions as may be required by the Ministry of Home Affairs for Northern Ireland, including provisions for the temporary suspension and regulation of other traffic for the safety of the public, for the restriction of speed in populous places, and for other purposes incident to the proper conduct of such races.

(3) Such public notice as may be required by the said Ministry of Home Affairs shall be given of the provisions of the order.

(4) No provisions of any Act, bye-law, order, or regulation, restricting the speed of or affecting the manner of driving motor vehicles, or prohibiting or restricting the driving or speed thereof on specified highways or within specified limits or places, or

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imposing any penalty in respect of the infringement of any such provisions, shall apply to any motor vehicle or the driver thereof, while actually engaged in such races, save so far as the same may be incorporated with the order of the county council. A.D 1922.

(5) The powers of a county council under this section shall not be exercised except with the consent of the said Ministry of Home Affairs.

Expenses of county council.

2. The expenses incurred by a county council in carrying any order under this Act into effect shall be defrayed by the applicants, and the county council may before granting the order require the applicants to make such deposit as may, in the opinion of the county council, be necessary to defray such expenses.

Definitions.

3. In this Act, the expression "motor vehicles" means any vehicles which are light locomotives within the meaning of the Locomotives on Highways Act, 1896, as amended by the Motor Car Act, 1903, or by any other Act, and includes motor bicycles and motor tricycles; and other expressions have the same meaning as in the Local Government (Ireland) Acts, 1898 to 1919, as those Acts apply to Northern Ireland.

59 & 60 Vict. c. 36, 3 Edw. 7, c. 36.

Short title.

4. This Act may be cited as the Motor Vehicle Races Act (Northern Ireland), 1922.

CHAPTER 12.

An Act to make Provision for the licensing of bulls and for the improvement of the breed of certain classes of live stock in Northern Ireland.

[5th July, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

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Restriction on keeping of bulls.

1. Any person who, after the appointed day, owns, keeps or has control of a bull of a prescribed age shall be liable on summary conviction to a fine not exceeding twenty pounds, unless the bull is licensed, or a permit has been granted in respect thereof, under the provisions of this Act.

2.—(1) The Ministry of Agriculture for Northern Ireland (in this Act referred to as "the Ministry") shall have power to grant, revoke and suspend licences and permits for the purposes of this Act, and a licence or permit shall remain in force until suspended or revoked by the Ministry.

Power to grant, suspend or revoke licences and permits.

(2) The Ministry shall, on application being made in the prescribed manner, at the prescribed time, and on compliance with the prescribed conditions as to inspection and examination, grant to the owner of any bull a licence in the prescribed form in respect of the bull and also, if so requested, a certified copy thereof on payment of such fee (not exceeding five shillings) as may be prescribed:

Provided that the Ministry may refuse to grant a licence or may suspend or revoke a licence in respect of a bull if it appears to the Ministry that the bull—

(*a*) is affected with any contagious or infectious disease;

(*b*) is affected with any other disease or defect prescribed as a disease or defect rendering the bull unsuitable for breeding purposes;

(*c*) has proved to be inadequately prolific;

(*d*) is calculated to beget defective or inferior progeny; or

(*e*) is of a breed or type unsuitable for the district in which it is kept, and is not a pure-bred bull belonging exclusively to any person, and kept for the service of cows belonging exclusively to that person.

(3) The Ministry may, on payment of such fee (not exceeding two shillings and sixpence) as may be prescribed, and on compliance with the prescribed conditions, grant to the owner of a bull intended to be fattened

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off for slaughter a permit authorising the keeping of the bull for such period and subject to such conditions as may be specified in the permit, but the permit shall not be transferable from one person to another.

Transfer and production of licence or permit.

3.—(1) If a bull in respect of which a licence is in force is sold, leased or hired out for a period exceeding one month, or if the ownership of the bull is otherwise changed, the licence may, on application to the Ministry, be transferred to the new owner by endorsement of the licence or otherwise, but unless so transferred a licence shall cease to be in force at the expiration of one month after the change of ownership.

(2) A licence granted under this Act or certified copy thereof shall, at the time of or before the service of a cow by the bull, be produced, if so required by the owner or person in charge of the cow.

A licence or certified copy thereof or permit granted under this Act shall be produced at any time, if so required by an officer of the Ministry or a police officer or any person authorised by the Ministry under this Act.

If the person for the time being in charge of or having control of the bull fails to produce the licence, certified copy or permit when so required, he, or the owner of the bull if the failure is due to the default of the owner, shall be liable on summary conviction to a fine not exceeding five pounds.

(3) Any person acting under an authority given by the Ministry under this Act shall, if so required, produce his authority.

Slaughtering or castration of unsuitable bulls.

4.—(1) If the Ministry is of opinion that any bull is not suitable for breeding purposes, the Ministry may, by notice served on the owner of the bull, in such manner as may be prescribed, require that the bull shall either be fattened off for slaughter, subject to such conditions as may be specified in a permit under this Act, or be castrated within such period, not being less than seven days after service of the notice, as may be therein specified, and the owner of any such bull shall, if he fails to comply with such notice, be liable on summary conviction to a fine not exceeding twenty pounds.

(2) In the event of the failure of the owner of a bull to comply with any such notice as aforesaid, the Ministry

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A.D. 1922.

may, at the expense of such owner, cause the bull referred to in the notice to be slaughtered or castrated as the Ministry may think fit.

(3) The person to whom a bull belongs absolutely shall, notwithstanding any other provision of this Act, be deemed to be the owner thereof for the purposes of this section to the exclusion of any lessee or hirer.

Appeals

5.—(1) If the Ministry refuses to grant or transfer a licence under this Act in respect of any bull, or suspends or revokes any such licence, or requires the slaughtering or castration of any bull, the owner of the bull shall be entitled, on application being made within the prescribed time, in the prescribed manner, and on payment of the prescribed fee (not exceeding two guineas) to have the bull inspected and examined by such members of the panel of referees constituted under this section as may be selected by the Ministry. The members of the said panel shall report to the Ministry the result of the inspection and examination, and the Ministry, after consideration of the report, may confirm or vary the decision to which the application relates, and such confirmation or variation shall be final:

Provided that no member of the panel who may previously have been employed either by the Ministry or by the applicant for the purpose of the inspection or examination of the bull shall be selected.

(2) For the purposes of inspections and examinations under this section, there shall be constituted a panel of referees consisting of such persons as may be appointed by the Lord Lieutenant.

(3) The fee payable on an application under this section shall, if the Ministry does not confirm the decision to which the application relates, be returned to the applicant by the Ministry.

(4) The charges of a referee in respect of an application shall be such as may be fixed by the Ministry, and shall be paid by the Ministry.

Duties of owners of licensed or permit bulls.

6. The owner of a bull in respect of which a licence or permit is in force under this Act shall:—

(*a*) give notice to the Ministry within the prescribed time, and in the prescribed manner, of any sale or hiring or other change in the

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ownership or control of the bull or of its castration or death;

(*b*) submit the bull to inspection and examination by any person authorised in that behalf by the Ministry; and

(*c*) return the licence and the certified copy (if any) or the permit to the Ministry within the prescribed time after the expiration, revocation or suspension thereof;

and if he fails to comply with any of the requirements of this section he shall be liable on summary conviction to a fine not exceeding five pounds.

Inspection and marking of bulls

7. For the purposes of this Act any person duly authorised in writing by the Ministry shall have power:—

(*a*) to inspect and examine and mark in the prescribed manner any bull; and

(*b*) to enter at all reasonable times any premises where he has reason to believe that any bull is kept;

and if any person refuses to allow a duly authorised person (who, if so required, produces his authority) to inspect, examine or mark any bull or to enter any premises which he is entitled to enter under this section, or obstructs or impedes such person in the exercise of his powers under this Act, the person so refusing, obstructing or impeding shall be liable on summary conviction to a fine not exceeding twenty pounds.

Forgery and fraudulent use of licence or permit.

8. If any person forges or fraudulently alters or uses, or permits to be fraudulently altered or used, any licence, permit or certified copy of a licence issued under this Act, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

Burden of proof.

9. In any proceedings under this Act for owning, keeping or having control of a bull without a licence or permit, the burden of proof that a licence or permit in respect of the bull was in force shall lie on the person charged, and until the contrary is proved it shall be assumed that neither a licence nor a permit was in force.

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Power to make rules.

10. The Ministry may make rules (subject in respect of fees to the approval of the Ministry of Finance) for prescribing anything which under this Act is to be prescribed, and generally for carrying this Act into effect.

Expenses and fines.

11.—(1) The expenses of the Ministry under this Act, to such amount as may be approved by the Ministry of Finance, shall be defrayed out of moneys provided by Parliament.

(2) All fines recoverable under this Act by the Ministry or by any officer of the Ministry shall be paid to the Ministry, and the amount so recovered and all other sums received under this Act by the Ministry shall be paid to the Exchequer, except so far as they may be appropriated by Parliament in aid of expenses under this Act.

Interpretation.

12. In this Act, unless the context otherwise requires—

The expression "owner," in relation to a bull, means the person to whom for the time being the bull belongs, whether absolutely or as a lessee or hirer, and the expression "ownership" shall be construed accordingly:

The expression "certified" means certified in the prescribed manner:

The expression "prescribed" means prescribed by rules made by the Ministry.

Power to apply Act to boars and rams.

13. The Ministry may, at any time after the appointed day, by order, apply the provisions of this Act, with such modifications as may be specified in such order, to boars and rams, or to either of those classes of live stock, and any such order shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent order.

Commencement and short title.

14.—(1) This Act shall come into operation on the appointed day, and the appointed day for the purposes of this Act shall be the first day of January, nineteen hundred and twenty-four:

Provided that the Ministry may determine a day earlier than the said first day of January, nineteen

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hundred and twenty-four, as the appointed day for the purposes of the provisions of this Act enabling applications for licences or permits to be made to, or rules to be made by, the Ministry, and authorising the inspection, examination and marking of bulls, the entry of premises, and the granting of licences and permits. A.D. 1922.

(2) This Act may be cited as the Live Stock Breeding Act (Northern Ireland), 1922.

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CHAPTER 13.

An Act to make provision for the management, administration and disposition of the part of the Irish Church Temporalities Fund apportioned to the Government of Northern Ireland, and for purposes connected herewith. [5th July, 1922.]

WHEREAS it is provided by section thirty-one of the Government of Ireland Act, 1920, that the part of the Irish Church Temporalities Fund apportioned to the Government of Northern Ireland shall be managed, administered and disposed of as directed by Act of the Parliament of Northern Ireland:

BE it therefore enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Management &c., of Fund by Ministry of Finance.

1. The part of the Irish Church Temporalities Fund which belongs to the Government of Northern Ireland, whether consisting of revenues derived from land, or from any interest in land, situate in Northern Ireland, or of a percentage of any securities or other assets of that Fund (which revenues, securities and assets are hereinafter referred to as the apportioned part of the Church Tem-

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A.D. 1922.

poralities Fund) shall be managed, administered and disposed of in accordance with the following directions, namely:—

(1) The Ministry of Finance for Northern Ireland (hereinafter referred to as "the Ministry") shall place the apportioned part of the Church Temporalities Fund, and all moneys from time to time accruing thereto, to the credit of a separate account to be called the Church Temporalities Account.

(2) The Ministry may, in such manner as it may from time to time determine—

(*a*) invest moneys of the nature of capital standing to the credit of the Church Temporalities Account; and

(*b*) vary such investments, and also any investments which at the commencement of this Act represent the apportioned part of the Church Temporalities Fund or any part thereof.

(3) The Ministry shall, after making such adjustments, whether by way of repayment or otherwise, as may be required in respect of the moneys standing to the credit of the Church Temporalities Account, pay the balance of such moneys as are of the nature of income, including income arising from investments, into the Exchequer of Northern Ireland at the prescribed times and in the prescribed manner.

(4) Subject to the provisions of this Act, the Ministry may make regulations with respect to the administration of the apportioned part of the Church Temporalities Fund and with respect to the Church Temporalities Account, and for prescribing anything required to be prescribed under this Act.

(5) The Ministry shall in respect of each financial year make and present to Parliament a report of its proceedings and a statement of account under this Act.

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Payments in respect of charges on Fund.

2.—(1) There shall be paid from time to time out of moneys provided by Parliament all such sums as may be required in respect of any charges on the Irish Church Temporalities Fund which, if and so far as not paid, would be made good by means of deductions from sums payable to the Exchequer of Northern Ireland in respect of the Irish residuary share of reserved taxes.

(2) There shall, in respect of each financial year, be paid into the Teachers' Pension Fund (Northern Ireland) out of moneys provided by Parliament a sum equal to three pounds per cent. of such sum as may be certified by the Ministry to bear to a sum of one million three hundred thousand pounds the same proportion as the apportioned part of the Church Temporalities Fund bears to the whole of the Irish Church Temporalities Fund.

Short title.

3. This Act may be cited as the Church Temporalities Fund Act (Northern Ireland), 1922.

CHAPTER 14.

An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, and to appropriate the Supplies granted in this Session of Parliament. [5th July, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Lord Lieutenant, granted to His Majesty in this Session of Parliament, as follows:—

GRANT OUT OF CONSOLIDATED FUND.

Issue of £7,321,211 out of the Consolidated Fund.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty

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A. D. 1922.

for the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, the sum of seven million, three hundred and twenty-one thousand, two hundred and eleven pounds.

Power for the Ministry of Finance to borrow.

2.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sum, any sum or sums not exceeding in the whole four million pounds.

(2) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the Consolidated Fund of Northern Ireland at any date not later than the quarter next succeeding to that in which the money was borrowed.

(3) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and twenty-three.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of grants.

3. The sums granted by this Act and the other Act mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of nine million, three hundred and forty six thousand, six hundred and twenty nine pounds, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the several services and purposes expressed in Schedule (B) annexed hereto.

The said schedules shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the said Consolidated Fund, there may be applied as appropriations in aid of the grants for the several services and purposes specified in Schedule (B) annexed hereto the

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sums respectively set forth in the last column of the said Schedule (B), and any of the sums set forth in that column may be so applied, notwithstanding that some part thereof may be derived from sums granted by Act of Parliament for other services specified in the said Schedule (B.) A.D. 1922. —

4. This Act may be cited as the Appropriation Act (Northern Ireland), 1922. Short title

SCHEDULE (A).

GRANTS OUT OF THE CONSOLIDATED FUND.

For the service of the period ended on the 31st day of March, 1922 :—

	£ s d
Under Act 12 & 13 Geo. 5 c. 1	9,618 0 0
For the service of the year ending on the 31st day of March, 1923, Under Act 12 and 13 Geo. 5 c 1.	2,015,800 0 0
Under this Act	7,321,211 0 0
TOTAL ..	£9,346,629 0 0

SCHEDULE (B).

PART I.

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charge of the several Services herein particularly mentioned for the period ended on the 31st day of March, 1922, viz. :—

No.		Sums Granted.	Appropriation in Aid.
	CLASS I.	£	£
5.	For expenditure in respect of Public Works and Buildings	1,000	17,400
	CLASS II.		
2.	For the expenses of criminal prosecutions and other law charges	1,920	—
8.	For the salaries and expenses of the Special Constabulary	6,218	—
	CLASS VI.		
1.	For the salaries and expenses of the Ministry of Commerce	480	50

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PART II.

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1923, viz. :—

No.	CLASS I.	Sums Granted.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Senate and of the House of Commons	20,924	—
2.	For the salaries of the department of the Prime Minister, the salaries of the Cabinet and of the Cabinet Secretariat	12,762	—
3.	For the salaries and expenses of the Ministry of Finance, including Revenue services, Valuation, Registration, Loan services, Public Works, Charity Funds, and collection of Land Purchase Securities ..	106,067	2,460
4.	For the expenses of the Department of the Comptroller and Auditor-General ..	2,728	30
5.	For expenditure in respect of public works and buildings (including a supplementary sum of £10)	128,900	486,850
6.	For stationery, printing, paper, binding, books and office supplies for the public service and for the Houses of Parliament and for production of the Belfast Gazette (including a supplementary sum of £10) ..	2,260	32,905
7.	For Old Age Pensions, for administrative expenses in connection therewith, and for Pensions under the Blind Persons Act ..	1,155,896	180
8.	For Superannuation and additional allowances and gratuities under sundry statutes and supplementary pensions and allowances granted by the Ministry of Finance ..	5,100	—
9.	For the expenses of the Ulster Savings Committee and the local issue and repayment of Ulster Savings Certificates	3,026	—
10.	For the salaries, allowances and expenses of various County Court Officers and Magistrates and certain registration expenses under the representation of the People Act, 1918 (including a supplementary sum of £10,721)	23,735	34,932
11.	For the expenses of the public funeral of the late Mr. Twaddell	130	—
12.	For the expenses in respect of secret services	50,000	—

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No.		Sums Granted.	Appropriations in Aid.
	CLASS II.	£	£
1.	For the salaries and expenses of the Ministry of Home Affairs	51,099	4,050
2.	For the expenses of criminal prosecutions and other law charges	17,976	100
4.	For the expenses of prisons	75,662	300
5.	For the expenses of reformatory and industrial schools	15,600	800
6.	For grants to local authorities in respect of health, housing, etc., and in relief of local rates	503,163	—
7.	For the salaries and expenses of the Special Constabulary	2,561,765	100
8.	For the salaries and expenses of the Royal Ulster Constabulary	735,864	31,100
9.	For the recoupment to local authorities in respect of payments made by them on foot of Criminal Injury Decrees	750,000	—
	CLASS III.		
1.	For the salaries and certain expenses of the Ministry of Labour (including a supplementary sum of £10)	176,245	74,660
2.	For the contributions and grants in respect of the cost of benefits and expenses of administration under the National Health Insurance Acts, 1911-20	162,420	—
3.	For the contributions to the Unemployment Insurance Fund and Unemployed Workers' Dependants Fund (including a supplementary sum of £98,050)	252,000	—
4.	For grants to local authorities, etc., for assistance in carrying out approved schemes to relieve unemployment (including a supplementary sum of £550,000)	592,000	—

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	Sums Granted	Appropriations in Aid
	£	£
CLASS IV.		
1. For the salaries and expenses of the Ministry of Education	79,461	—
2. For the expenses of educational services ..	1,719,812	200
CLASS V.		
1. For the salaries and expenses of the Ministry of Agriculture	59,963	520
2. For the expenses of the Ministry of Agriculture in respect of agricultural institutions, improvement of live stock, agricultural research development, including sundry grants-in-aid	39,671	1,550
3. For the salaries and expenses of the Ministry of Agriculture in respect of Ordnance Survey and Geological Survey	11,022	50
CLASS VI.		
1. For the salaries and expenses of the Ministry of Commerce	21,760	395

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CHAPTER 15.

A.D. 1922.

An Act to make further provision with respect to the expenses of the administration of benefits under the Acts relating to National Health Insurance in Northern Ireland, to amend section twenty-nine of the National Health Insurance Act, 1918, in its application to Northern Ireland, and for purposes connected therewith.

[5th July, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Provision as to administration expenses.

1.—(1) For the purpose of defraying the expenses incurred by the Ministry of Labour for Northern Ireland in connection with the administration of benefits there shall be applied by the said Ministry in each year, out of the sums hereinafter in this sub-section mentioned, a sum at such yearly rate as may be prescribed, but not exceeding two shillings and three pence per year, in respect of each of the total number (calculated in the prescribed manner) of the members of the society resident in Northern Ireland.

The sums aforesaid shall be applied, in the case of each approved society, out of the sums standing to the credit of the society in the Northern Ireland National Health Insurance Fund, and there shall be credited to the society out of any moneys payable to the said Ministry from the Central Fund an amount equal to seven ninths of one third of the sums so applied.

(2) Subject as hereinafter provided, no part of any sums applied by the said Ministry under this section shall be derived from moneys provided by Parliament ;

Provided that there shall be credited to each society out of moneys provided by Parliament, in such manner and at such times as may be prescribed by regulations to be made by the National Health Insurance Joint Committee with the approval of the Ministry of Finance, such sum (to be calculated in such manner as the regulations may prescribe) as would by virtue of section 1 & 2 Geo 5 c. 55.

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A.D. 1922.

three of the National Insurance Act, 1911, be payable out of moneys provided by Parliament if the amount of the charge from time to time borne by the society under this section, together with interest thereon from the date of such charge at the rate prescribed for the purposes of paragraph (c) of subsection (1) of section fifty-six of the National Insurance Act, 1911, were, on the valuation of the society made next after the passing of this Act, applied for the purpose of additional benefits under the National Insurance Act, 1911.

(3) This section shall be deemed to have come into operation on the first day of April, nineteen hundred and twenty-two, and sub-section (1) of this section shall continue in force until the thirty-first day of December, nineteen hundred and twenty-three.

Application of part of sums unclaimed in stamp sales account towards cancellation of arrears. 7 & 8 Geo. 5, c. 62.

2.—(1) Such part as the National Health Insurance Joint Committee may direct of the sums which under section twenty-nine of the National Health Insurance Act, 1918 (which provides for the disposal of sums unclaimed in the stamp sales account) are to be carried to the Central Fund, shall, instead of being so carried, be credited to approved societies in accordance with a scheme to be made by the said Committee with the approval of the Ministry of Finance, and any sums credited under this section to an approved society shall be applied by the society, in such manner as the scheme may provide, for the purpose of preventing such members of the society as are in arrears from having or continuing to have their rates of sickness, disablement and maternity benefits reduced by greater amounts than such amounts as may be fixed in the scheme.

(2) This section shall continue in force until the thirty-first day of December, nineteen hundred and twenty-two.

Interpretation, short title, and construction.

3.—(1) References in this Act to the National Insurance Act, 1911, and the National Health Insurance Act, 1918, shall be construed as references to those Acts as they apply to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, the Government of Ireland (Adaptation of Health Insurance Acts) Order, 1922, and any other Order made by His Majesty in Council in pursuance of the said Government of Ireland Act.

10 & 11 Geo. 5. c. 67.

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(2) This Act may be cited as the National Health Insurance Act (Northern Ireland), 1922, and shall be construed as one with the National Health Insurance Acts, 1911 to 1921, to the extent to which those Acts are in force in Northern Ireland, and those Acts and this Act may accordingly be cited together as the National Health Insurance Acts (Northern Ireland), 1911 to 1922. A.D. 1922.

CHAPTER 16.

An Act to amend the Law relating to Local Government in Northern Ireland, and for purposes connected therewith.

[11th September, 1922.]

BE it enacted by the King's Most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Method of voting and electoral divisions, &c.

1.—(1) On and after the ordinary day of election in the year nineteen hundred and twenty-three, the members of a local authority in Northern Ireland shall, subject to the provisions of this Act, be elected, if a poll is taken, by the method of voting which was in force immediately before the commencement of the Local Government (Ireland) Act, 1919 (in this Act referred to as "the Act of 1919"), and shall be elected for county and district electoral divisions, wards, urban districts or towns, instead of for the local electoral areas formed under the Act of 1919. 9 & 10 Geo. 5 c. 19.

(2) Sections one and ten of the Act of 1919, and so much of section eleven of the said Act as is inconsistent with the provisions of this Act, are hereby repealed.

(3) The provisions contained in Part I. of the Schedule to this Act shall be substituted for the provisions of sub-sections (2) and (3) of section four of the Act of 1919.

(4) The provisions contained in Part II. of the Schedule to this Act shall be added to the enactments of the Local Government (Ireland) Act, 1898 (in this Act referred to as "the Act of 1898") which are specified in that part of the said Schedule, and the Act of 1898 shall have effect accordingly. 61 & 62 Vict. c. 37.

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Consent and deposit on nomination of candidates.

2.—(1) Each person who shall be nominated for election as a member of a local authority shall signify in writing to the returning officer, not later than the date prescribed for the receipt of nomination papers, his consent to such nomination, and shall deposit, or cause to be deposited, with the returning officer, in the case of an election of members of a county or borough council, a sum of twenty-five pounds, and in the case of an election of members of an urban or rural district council or board of guardians or of the commissioners of a town, the sum of ten pounds; and no person shall be deemed to have been duly nominated unless his consent to the nomination has been signified, and the amount of the deposit provided by this section has been paid to the returning officer.

(2) The returning officer shall after the day of election repay to each person who has either withdrawn his candidature within the time prescribed for that purpose, or who is elected as a member of the local authority and has made the declarations required of such member, the amount of his deposit.

(3) All sums received by the returning officer from candidates in respect of deposits, and not returned by him, shall be applied by him towards the general expenses of the election.

(4) The power of the Ministry of Home Affairs for Northern Ireland (in this Act referred to as "the Ministry") to frame rules for the conduct of elections of members of a local authority shall include power:—

(*a*) to prescribe conditions upon which deposits made by an unsuccessful candidate may be returned; and

(*b*) to prescribe the manner in which consents may be given by candidates to their nomination as members of a local authority.

Provisions as to annual election and retirement of members for borough, urban district or town.

3. The Ministry, on request made by a resolution of the council of any borough or urban district, or the commissioners of any town, passed by a majority of the members voting on such resolution, may, if it thinks fit, by order apply to the borough, urban district or town, in lieu of the provisions relating to triennial elections or elections of aldermen which are contained in the Act of 1919 as amended by this Act, the enactments which were in force immediately before the commencement of the Act of 1919, with respect to the election and retirement in rotation of

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borough councillors and aldermen, urban district councillors, or town commissioners, as the case may require, and make such incidental provisions as appear to the Ministry necessary or expedient for bringing such application into full effect, including, in the case of a borough, provisions with respect to the term of office of the aldermen and the holding of separate elections of aldermen.

Application to county borough of Belfast and Belfast City and District Water Commissioners.

4.—(1) This Act, in its application to the county borough of Belfast, and the election of aldermen and councillors of that borough, shall have effect with the following modifications:—

(*a*) The Ministry shall, for the purpose of the elections of aldermen and councillors to be held on the fifteenth day of January, nineteen hundred and twenty-three, divide the said county borough into fifteen wards, having the same boundaries and the same names as those of the fifteen wards into which the said county borough was divided immediately before the commencement of the Act of 1919, and shall apportion to each of the said fifteen wards one alderman and three councillors.

(*b*) The aldermen and councillors of the said county borough shall be separately elected in like manner as the aldermen and councillors thereof were separately elected immediately before the commencement of the Act of 1919, and the said aldermen and councillors shall retire by rotation in like manner and by the like method as aldermen and councillors retired from office under the provisions of the Belfast Corporation Act, 1896, as amended by the Act of 1898, and shall hold office for the like term as such last mentioned aldermen and councillors; and those provisions shall apply accordingly as if they were herein re-enacted, but with such modifications as may appear to the Ministry to be necessary in order to give full effect to the provisions of this section.

59 & 60 Vict. c. ccxlvi.

(2) If at any time the Ministry makes an order altering the number or boundaries of the wards into which the county borough of Belfast is to be divided in pursuance of this section, the Ministry shall at the same time by order assign to each of the wards as constituted or

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A.D. 1922.

altered by such order one elective member of the Belfast City and District Water Commissioners, and shall specify which of the last mentioned wards are to be the wards with or to which there shall be incorporated or added the lands forming portion of the Commissioners' district of supply which are not included within the boundary of the said county borough; and the provisions of Part III. of the Belfast Water Act, 1897, with respect to the number of elective Commissioners shall have effect as varied by such order.

60 & 61 Vict. c. clxxxix.

Declaration of allegiance required of members and officers of local authorities.

5.—(1) A person elected or chosen as a member of a local authority shall be deemed not to have accepted office, and his office shall be deemed to be vacant, unless within the time required by law for making and subscribing a declaration of acceptance of office, or, where no declaration of acceptance of office is so required, within one month after he has been elected or chosen, he has made and subscribed the declaration of allegiance prescribed in Part III. of the Schedule to this Act; and no person shall be deemed to have been validly appointed as a member of any committee or joint-committee wholly or partly appointed by a local authority unless he has within one month of his appointment made and subscribed the said declaration of allegiance.

(2) Every officer holding an office of profit under or in the gift of a local authority or committee or joint-committee wholly or partly appointed by that authority, shall make and subscribe the said declaration of allegiance:

(*a*) in the case of an officer holding office at the date of the passing of this Act, within one month after that date; or

(*b*) in the case of an officer appointed after the passing of this Act, within one month after his appointment.

No officer appointed after the passing of this Act shall enter upon the duties of his office until he has made and subscribed the said declaration of allegiance, and if any officer fails to make and subscribe the declaration within the said month, his appointment shall be void and of no effect.

Provisions as to local government franchises. 7 & 8 Geo. 5, c. 64.

6.—For the purpose of the local government franchises conferred by section three and sub-section (3) of section four of the Representation of the People Act, 1918, neither the occupation of any premises by a man as owner

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A.D. 1922.

or tenant, nor his residence therein, shall be deemed to have been interrupted by reason of the fact that he has, in the discharge of his duties either as a member of the Royal Ulster Constabulary or as a special constable, necessarily been absent from the premises during the whole or part of the qualifying period.

Orders for constituting electoral divisions, and bringing Act into operation.

7.—(1) The Ministry may from time to time make orders:—

(*a*) dividing a borough, urban district or town into wards and fixing the boundaries of such wards, altering the number and boundaries of the wards, or altering the boundaries of the wards without altering their number, and apportioning the borough councillors and aldermen, urban district councillors or town commissioners among the wards;

(*b*) dividing a county into county electoral divisions, altering the boundary of a county electoral division, or the number of county councillors and county electoral divisions for a county, and, in case of an urban district forming one county electoral division, assigning more than one county councillor to that division;

and the Ministry may also make such further orders as appear to it to be necessary or proper for giving full effect to this Act, or for adapting the provisions of any enactment (including any local Act) or Order of the Lord Lieutenant in Council, in such manner as may appear to the Ministry to be necessary in order to bring such provisions into conformity with the provisions of this Act.

Subject to the provisions of any such order, and except to such extent as may be specified therein, any orders made under the Act of 1919 for constituting local electoral areas, assigning members to such areas, or adapting enactments for the purposes of that Act, shall cease to have effect.

(2) If any difficulty arises as to the holding of the first election of members of a local authority after the commencement of this Act, or as to the taking of any steps preliminary to the holding of that election, the

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A.D. 1922.

Ministry may by order do any matter or thing which appears to the Ministry necessary for the proper holding of the election or taking of such preliminary steps.

(3) Before making an order, with respect to any borough, urban district, town or county, for any purpose mentioned in paragraph (*a*) or paragraph (*b*) of subsection (1) of this section, the Ministry shall consult with the council of the borough, urban district or county, or with the commissioners of the town, and may, if the Ministry deems it necessary, hold a local inquiry into the matter of any representations made by any such council or commissioners.

An order made for any such purpose, or for combining, dividing or otherwise altering district electoral divisions, if made after the first day of July in any calendar year, shall apply to electors' lists in the next calendar year and to any register of electors formed out of such lists, and to elections held after the time at which the register of electors so formed has come into force, and shall not apply previously; Provided that, as respects any order made for any such purpose on or before the fifteenth day of November, nineteen hundred and twenty-two, this provision shall have effect with the substitution of the last mentioned day for the first day of July.

(4) Any order made by the Ministry under this Act shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent order.

Interpretation, commencement, short title, construction and citation. 10 & 11 Geo. 5, c. 67.

8.—(1) References in this Act to the Act of 1898 and the Act of 1919 shall be construed as references to those Acts as they apply to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, and of any order made by His Majesty in Council in pursuance of the last-mentioned Act.

In this Act, unless the context otherwise requires—

The expression "local authority" means the council of any county, borough, urban or rural district, a board of guardians and the commissioners of any town:

The expression "members of a local authority" includes aldermen, councillors, guardians, and town commissioners:

The expression "town" means any town as defined in the Act of 1898, other than an urban district.

(2) This Act shall, except as therein expressly provided, come into operation on the passing thereof.

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A.D. 1922.

(3) This Act may be cited as the Local Government Act (Northern Ireland), 1922, and shall be construed as one with the Local Government (Ireland) Acts, 1898 to 1919, to the extent to which those Acts are in force in Northern Ireland, and those Acts and this Act may accordingly be cited together as the Local Government Acts (Northern Ireland), 1898 to 1922.

SCHEDULE.

PART I.

Provisions to be substituted for sub-sections (2) and (3) of section four of the Act of 1919. Section 1 (3).

(2) At any election of the full number of aldermen and councillors for any ward of a borough, the number of candidates to be elected shall be the aggregate of the number of aldermen and number of councillors apportioned to the ward, and where a poll is taken the candidate or candidates elected by the greatest number of votes shall, up to the required number, be the alderman or aldermen for the ward, and the remaining candidates elected shall be the councillors for the ward.

For the purposes of the foregoing provision, if two or more candidates are elected by the same number of votes, the borough council shall determine which of the said candidates shall be alderman or aldermen.

(3) If there is no poll at any such election, such of the elected candidates for the ward as may be determined by the borough council shall be alderman or aldermen, and the remaining elected candidates shall be councillors for the ward, and the determination of the question which of the said candidates shall be alderman or aldermen shall be the first business to be transacted at the quarterly meeting of the borough council next after the election. When the question has been determined, the elected candidates shall be deemed to have come into office as alderman or aldermen and as councillors respectively for the ward on the day next after the day of the election, and pending the determination of the question the said candidates shall be deemed to be members of the borough council, and its powers and constitution shall not be prejudicially affected.

(4) If there are no candidates at any such election, and the outgoing aldermen and councillors are deemed to be re-elected, the outgoing aldermen shall be deemed to be re-elected as aldermen.

(5) In the event of a casual vacancy in the office of alderman in any ward, the office shall be filled by the choice of an alderman by the borough council from the existing councillors for the ward, and the vacancy thereby created in the office of councillor shall be filled by an election.

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A.D. 1922.

Section 1 (2) (4).

SCHEDULE.

PART II.

Enactments of the Act of 1898.	Provisions added thereto.
Sub-section (3) of section two.	The following proviso shall be added :—" Provided that— (*a*) One councillor only shall be elected for each county electoral division, except where an urban district forming one such division returns more than one councillor ; and (*b*) The county electoral divisions shall be arranged with a view to the population of each division being, so nearly as conveniently may be, equal, regard being had to a proper representation both of the rural and urban population, and to rateable valuation, and to the distribution and pursuits of such population, and to the last published census for the time being, and to evidence of any considerable change of population since such census."
Sub-section (4) of section two.	After the word " elector " the following words shall be added: " may give in a county electoral division one vote and no more, or in case of an urban district forming one county electoral division and returning more than one councillor, one vote and no more for each of any number of persons not exceeding the number of councillors to be elected for that division, and "

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SCHEDULE—Part II.—*Continued.*

A.D. 1922.

Enactments of the Act of 1898.	Provisions added thereto.
Sub-section (3) of section twenty-three.	After paragraph (*a*) the following words shall be added :— "(*b*) One councillor shall be elected for each district electoral division except where the Ministry assigns more than one councillor to a town or part of a town forming one district electoral division, and" In paragraph (*c*) after the word "elector" the following words shall be added— "may give in an electoral division one vote and no more, or in case of a town or part of a town forming one district electoral division to which more than one councillor is assigned, one vote and no more for each of any number of persons not exceeding the number of councillors to be elected for the division, and"
Section twenty-four.	After paragraph (*b*) the following words shall be added :— "(*c*) where the Ministry constitutes any urban county district, or part thereof, or part of a county borough, a district electoral division, the Ministry may assign to that division one guardian or more ; and (*d*) each elector may give in a district electoral division one vote and no more for each of any number of persons, not exceeding the number of guardians to be elected for that division ; and"

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A.D. 1922.

SCHEDULE—PART III.

Section 5.

FORM OF DECLARATION OF ALLEGIANCE.

I.....hereby declare that I will render true and faithful allegiance and service to His Majesty King George the Fifth His heirs and successors according to law and to His Government of Northern Ireland.

.....Signature of person appointed.

Dated this.....day of.....

CHAPTER 17.

An Act to Amend section four of the Unemployment Insurance Act (Northern Ireland), 1922. [26th October, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment of s. 4 of 12 & 13 Geo. 5, c. 7.

1.—(1) If it appears to the Ministry of Labour for Northern Ireland that, having regard to all the circumstances of the case, it is expedient in the public interest that a person whom the Ministry has power to authorise to receive benefit in the third or fourth special period under section four of the Unemployment Insurance Act (Northern Ireland), 1922, should be allowed to receive benefit within either or both of those special periods for any periods of greater or less duration than, or on any conditions other than, those prescribed in the said Act, the Ministry may authorise that person to receive benefit for such periods of greater or less duration, or on such other conditions as it may think fit.

(2) Notwithstanding anything in the Unemployment Insurance Acts (Northern Ireland), 1920 to 1922, when and so often as a person has received benefit in the third

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A.D. 1922.

or fourth special period for periods which the Ministry is hereby empowered to determine, he shall cease to be qualified for the receipt of further benefit until the expiration of such intervening periods as may be fixed by the Ministry.

Short title and commencement

2.—(1) This Act may be cited as the Unemployment Insurance (Amendment) Act (Northern Ireland), 1922, and shall be construed as one with, and shall be included among, the Acts which may be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1922.

(2) This Act shall be deemed to have come into operation on the twentieth day of July, nineteen hundred and twenty-two.

CHAPTER 18.

An Act to amend the Law relating to certain Duties of Inland Revenue (including Excise) and to alter other Duties payable in Northern Ireland. [26th October, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

ENTERTAINMENTS DUTY.

Duty on payments for admission to entertainments. 6 Geo. 5, c. 11.

1.—(1) Sub-section (3) of section one of the Finance (New Duties) Act, 1916 (in this Act referred to as "the Act of 1916") shall be amended as follows :—

For the words "each person admitted for payment" there shall be substituted the words "each payment for admission"; and for the words "the number of admissions" there shall be substituted

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A.D. 1922.

the words " the number of payments for admission."

(2) In paragraph (d) of sub-section (5) of section one of the Act of 1916, the words from " or is provided by any such society " to the end of the paragraph shall be omitted.

Proceeds of entertainments for philanthropic or charitable purposes.

2. The provisions of sub-section (5) of section one of the Act of 1916, which require, in certain cases, the repayment of the amount of entertainments duty to the proprietor of an entertainment, shall have effect as if—

(*a*) for the words " the proprietor " there were substituted the words " the association or society or person to whom the net proceeds of the entertainment, after deduction of entertainments duty, are paid " ; and

(*b*) for the words " and that the whole of the expenses of the entertainment do not exceed twenty per cent. of the receipts " there were substituted the words " and that the whole of the expenses of the entertainment do not exceed thirty per cent. of the receipts."

Entertainments duty declared to be chargeable on certain payments.

3. For removing doubts, it is hereby declared that entertainments duty within the meaning of section one of the Act of 1916 is by virtue of that Act chargeable on the following payments, that is to say :—

(*a*) payments for admission to an entertainment made to a person other than the proprietor of the entertainment ; and

(*b*) payments of rent made in respect of an interest in any premises which is primarily acquired for the purpose of securing admission to an entertainment ;

and accordingly in that section the expressions " the proprietor of the entertainment " and " the proprietor " shall include and be deemed always to have included any person on whose behalf payments for admission to an entertainment are received.

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A.D. 1922.

PART II.

LICENCE DUTY (MECHANICALLY-PROPELLED VEHICLES).

Charge of higher rate of duty on change in user, &c., of mechanically-propelled vehicles. 10 & 11 Geo. 5, c. 18.

4.—(1) Where a licence has been taken out for a mechanically-propelled vehicle at any rate under the Second Schedule to the Finance Act, 1920, and the vehicle is at any time while such licence is in force used in an altered condition or in a manner or for a purpose which brings it within, or which if it was used solely in that condition or in that manner or for that purpose would bring it within, a class or description of vehicle to which a higher rate of duty is applicable under the said Schedule, duty at such higher rate shall become chargeable in respect of the licence for the vehicle.

(2) Where a licence has been taken out for a mechanically-propelled vehicle, and by virtue of such user as aforesaid a higher rate of duty becomes chargeable and duty at the higher rate was not paid before the vehicle was so used, the person so using the vehicle shall be liable to a penalty of an amount equal to three times the difference between the duty actually paid on the licence and the amount of duty at such higher rate or twenty pounds, whichever amount is the greater.

(3) This section shall come into operation on the first day of January, nineteen hundred and twenty-three.

Amendment of s. 9 of 10 & 11 Geo. 5, c. 72.

5.—(1) Section nine of the Roads Act, 1920 (which enables manufacturers of and dealers in mechanically-propelled vehicles to take out a general licence in respect of vehicles used by them in lieu of separate licences for each such vehicle) shall extend to repairers of mechanically-propelled vehicles.

(2) It shall be lawful for the Ministry of Home Affairs for Northern Ireland to make two sets of regulations under the said section nine prescribing the conditions subject to which general licences are to be issued and prescribing the purposes for which the holder of a general licence may use it, and in that case—

(*a*) if a licence to which the one set of regulations applies is taken out by a manufacturer, repairer, or dealer, the yearly rate of duty shall

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A.D. 1922.

be twenty-five pounds, or in the case of a licence to be used only for vehicles chargeable with duty under paragraph one or paragraph two of the Second Schedule to the Finance Act, 1920, five pounds;

(*b*) if a licence to which the other set of regulations applies is taken out by a manufacturer, repairer, or dealer, the yearly rate of duty shall be five pounds, or in the case of a licence to be used only for vehicles chargeable with duty under paragraph one or paragraph two of the Second Schedule to the Finance Act, 1920, one pound:

Provided that any such licence to which the first-mentioned set of regulations is applicable may be taken out for one quarter of the year only, beginning the first day of January, the twenty-fifth day of March, the first day of July or the first day of October, and in the case of any licence so taken out the duty shall be thirty per cent. of the full annual duty.

It shall be at the option of every manufacturer or repairer of, or dealer in, mechanically-propelled vehicles wishing to take out a general licence whether the licence is one to which the one or other of the two sets of regulations applies.

(3) This section shall come into operation on the first day of January nineteen hundred and twenty-three, and on the rates of duty for general licences prescribed by this section becoming chargeable the rates prescribed for such licences by section nine of the Roads Act, 1920, shall cease to be chargeable.

PART III.

STAMPS.

Alkali, &c., works stamp duty. 6 Edw. 7, c. 14.

6. Sub-section (6) of section nine of the Alkali, &c. Works Regulation Act, 1906 (which relates to the stamp duty chargeable on certificates of registration of alkali and other works) shall have effect as if for the words "five pounds" there were substituted the words "ten pounds" and for the words "three pounds" there were substituted the words "six pounds:"

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A.D. 1922.

Provided that nothing in this section shall affect the stamp duty chargeable in respect of any certificate of registration issued before the first day of April, nineteen hundred and twenty-three.

Exemption from stamp duty of instruments executed by Ministries of Northern Ireland.

7. Any instrument made or executed by or on behalf of any Ministry or Department of the Government of Northern Ireland, and in respect of which the liability for payment of stamp duty would, apart from this section, attach to any such Ministry or Department, shall be exempt from stamp duty.

PART IV.

ESTATE DUTY.

Extension of s. 20 of 57 & 58 Vict. c. 30.

8. Section twenty of the Finance Act, 1894 (which relates to payment of death duties where death duties are payable in certain British Possessions) shall have effect as respects death duties payable in Northern Ireland with the like extension as is enacted by section forty-five of the Finance Act, 1922, passed by the Parliament of the United Kingdom.

12 & 13 Geo. 5, c. 17.

PART V.

GENERAL.

Construction and short title.

9.—(1) References in this Act to any Acts of the Parliament of the United Kingdom (other than the Finance Act, 1922) shall be construed as references to those Acts as they apply to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, the Government of Ireland (Adaptation of the Taxing Acts) Order, 1922, and any other order made by His Majesty in Council in pursuance of the last-mentioned Act.

10 & 11 Geo. 5, c. 67.

(2) This Act, so far as it relates to duties of excise, shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

(3) This Act may be cited as the Finance Act (Northern Ireland), 1922.

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A.D. 1922.

CHAPTER 19.

An Act to provide for the carrying into execution of certain enactments of the Solicitors (Ireland) Act, 1898, by the Incorporated Law Society of Northern Ireland, and to amend the said Act in its application to Northern Ireland.

[26th October, 1922.]

WHEREAS by a Royal Charter granted by His Majesty on the tenth day of July, nineteen hundred and twenty-two, the members of the Northern Law Society and certain other persons were incorporated by the name of "The Incorporated Law Society of Northern Ireland" for the purpose of exercising, as respects persons practising or intending to practise as, or bound or about to be bound under indentures of apprenticeship to, solicitors of the Supreme Court of Judicature of Northern Ireland, the like jurisdiction as was formerly exercised by the Incorporated Law Society of Ireland as respects such persons:

And whereas the exercise of the aforesaid jurisdiction by the Incorporated Law Society of Ireland was regulated by the provisions of the Solicitors (Ireland) Act, 1898, and it is necessary that the said provisions should, for the purpose of the aforesaid Royal Charter, be applied to the Incorporated Law Society of Northern Ireland and amended in their application to Northern Ireland in manner hereinafter appearing:

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

General adaptation of provisions of 61 & 62 Vict. c. 17.

1. The Solicitors (Ireland) Act, 1898 (hereinafter referred to as the principal Act) shall have effect in Northern Ireland subject to the following adaptations and modifications:—

(*a*) References in the principal Act to the Incorporated Law Society or the Society shall be construed as references to the Incorporated Law Society of Northern Ireland.

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A.D. 1922.

(*b*) References in the principal Act to the registrar of solicitors shall be construed as references to the person (by whatever name called) who may from time to time be appointed by the Incorporated Law Society of Northern Ireland to have in respect of Northern Ireland the powers, and to perform in respect thereof the duties, which are by the principal Act provided in the case of the registrar of solicitors.

(*c*) For the words "at least three times in every year" in section eight of the principal Act there shall be substituted the words " at least twice in every year."

(*d*) For the reference in section eight of the principal Act to the judges to whom copies of regulations are to be transmitted there shall be substituted a reference to all the judges of the Supreme Court for the time being, and for the references in the said section to any three or any two of those judges there shall be substituted references to a majority of the judges of the Supreme Court for the time being, the Lord Chief Justice of Northern Ireland being one.

(*e*) For the reference in section twenty-nine of the principal Act to two of the Benchers of the King's Inns there shall be substituted a reference to the Attorney General for Northern Ireland.

(*f*) References in section thirty of the principal Act to the secretary to the Lord Chancellor shall be construed as references to the permanent secretary to the Supreme Court of Judicature of Northern Ireland.

(*g*) The reference in section forty of the principal Act to the Dublin agent of a solicitor shall be construed as a reference to the Belfast agent of a solicitor.

Provisions as to existing apprentices and as to holding of preliminary examinations.

2.—(1) The power of making regulations which is conferred upon the Incorporated Law Society of Northern Ireland by section eight of the principal Act as amended by this Act shall include the power of making regulations as to the completion of the term of apprenticeship and attendance at lectures and examinations by persons who

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A.D. 1922.

at the commencement of this Act are apprentices of any solicitors practising in Northern Ireland.

(2) Notwithstanding the provisions of the said section it shall be competent for the Incorporated Law Society of Northern Ireland to dispense with the holding of a preliminary examination, and to direct that there shall be substituted therefor any examination which may be accepted under this Act in lieu of preliminary examinations.

Term of apprenticeship and exemptions from examination.

3.—(1) For the universities mentioned in sections twelve, fourteen and fifteen of the principal Act there shall be substituted any university which at or after the commencement of this Act is lawfully established in England, Scotland, Wales or Ireland and recognised by regulations made under this Act.

(2) The exemptions mentioned in section seventeen of the principal Act shall not, except as regards persons coming within sections twelve and thirteen thereof, be applicable in Northern Ireland, but exemption from preliminary examinations may be granted, in pursuance of regulations made under this Act, to persons who pass such examination, held in any university, college or educational institution or under any authority which at or after the commencement of this Act is lawfully established in England, Scotland, Wales or Ireland, as may from time to time by such regulations be accepted as an examination in lieu of preliminary examinations.

(3) The power of granting special exemption from preliminary examinations under section eighteen of the principal Act shall be exercisable by the Lord Chief Justice of Northern Ireland or, if the office of Lord Chief Justice of Northern Ireland is vacant, by the senior Lord Justice of Appeal in Northern Ireland for the time being, and in either case upon the recommendation of the Incorporated Law Society of Northern Ireland.

Constitution of rule-making authority

4. Section fifty-seven of the principal Act (which relates to rules as to procedure before committee, and for carrying the principal Act into execution) shall have effect as if there were omitted from the beginning of the said section the words " The Lord Chancellor, the President of the Queen's Bench Division, the Lord Chief Baron, the Master of the Rolls, and the President of the Incorporated

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A.D. 1922.

Law Society, or any three of them, of whom the Lord Chancellor shall be one," and as if there were substituted for those words the words " The Lord Chief Justice of Northern Ireland, such one of the judges of the Supreme Court as the said Lord Chief Justice shall appoint, and the President of the Incorporated Law Society of Northern Ireland, or any two of them, of whom the said Lord Chief Justice shall be one."

Continuance of existing regulations and rules.

5. All regulations and rules in force by virtue of the principal Act immediately before the commencement of this Act, whether made—

(*a*) by the Incorporated Law Society of Ireland alone, or

(*b*) by the Lord Chancellor together with any other judge or judges of the Supreme Court of Judicature in Ireland and with or without the President of the said Incorporated Law Society,

shall continue in force and be deemed to have continued in force as from the commencement of this Act, so far as is necessary for the purposes of the principal Act as amended by this Act, but subject to the like powers of revocation and alteration as if they had been made by the Incorporated Law Society of Northern Ireland, or by the Lord Chief Justice of Northern Ireland together with any other judge or person, as the case may require ; and the adaptations and modifications made by this Act shall, so far as applicable, apply to any such regulations or rules in like manner as if they had been made under the principal Act as amended by this Act :

Provided that it shall be competent for the Council of the Incorporated Law Society of Northern Ireland to make temporary regulations in respect of education, examinations and lectures (including the fixing of dates, length of notice to be given, and other matters) to be of effect during the period between the commencement of this Act and the thirty-first day of December, nineteen hundred and twenty-three.

Construction commencement and short title.

10 & 11 Geo. 5. c. 64.

6.—(1) References in this Act to the principal Act shall be construed as references to that Act (including any enactment amending the same) as it applies to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, and of any order made by His

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A.D. 1922. Majesty in Council in pursuance of the last-mentioned Act.

(2) This Act shall be deemed to have come into operation on the tenth day of July, nineteen hundred and twenty-two.

(3) This Act may be cited as the Solicitors Act (Northern Ireland), 1922, and shall be construed as one with the principal Act.

CHAPTER 20.

An Act to apply to Northern Ireland certain Acts passed by the Parliament of the United Kingdom in the present Session thereof.

[26th October, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Application to Northern Ireland of Acts of United Kingdom Parliament.

1.—(1) The Acts passed by the Parliament of the United Kingdom which are set out in the several Schedules to this Act (hereinafter referred to as "the scheduled Acts") are hereby enacted with the modifications appropriate to Northern Ireland and set out in the scheduled Acts, and the scheduled Acts shall have effect as Acts passed by the Parliament of Northern Ireland as from the respective dates specified therein, or if no date be so specified, from the commencement of this Act.

(2) References in the scheduled Acts to any enactments or Acts of the Parliament of the United Kingdom shall be construed as references to those enactments or Acts as they apply to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, and of any Order made by His Majesty in Council in pursuance of the last-mentioned Act.

10 & 11 Geo. 5, c. 67.

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2. This Act may be cited as the Uniformity of Laws Act (Northern Ireland), 1922. Short title.

FIRST SCHEDULE.

[12 & 13 GEO. 5.] *Infanticide Act*, 1922. [Ch. **18.**]

An Act to provide that a woman who wilfully causes the death of her newly-born child may, under certain conditions, be convicted of infanticide.

1.—(1) Where a woman by any wilful act or omission causes the death of her newly-born child, but at the time of the act or omission she had not fully recovered from the effect of giving birth to such child, and by reason thereof the balance of her mind was then disturbed, she shall, notwithstanding that the circumstances were such that but for this Act the offence would have amounted to murder, be guilty of felony, to wit of infanticide, and may for such offence be dealt with and punished as if she had been guilty of the offence of manslaughter of such child. Conviction for infanticide in certain cases.

(2) Where upon the trial of a woman for the murder of her newly-born child, the jury are of opinion that she by any wilful act or omission caused its death, but that at the time of the act or omission she had not fully recovered from the effect of giving birth to such child, and that by reason thereof the balance of her mind was then disturbed, the jury may, notwithstanding that the circumstances were such that but for the provisions of this Act they might have returned a verdict of murder, return in lieu thereof a verdict of infanticide.

(3) Nothing in this Act shall affect the power of the jury upon an indictment for the murder of a newly-born child to return a verdict of manslaughter, or a verdict of guilty but insane, or a verdict of concealment of birth, in pursuance of section sixty of the Offences against the Person Act, 1861. 24 & 25 Vict, c. 100 s. 60.

(4) The said section sixty shall apply in the case of the acquittal of a woman upon indictment for infanticide as it applies upon the acquittal of a woman for murder, and upon the trial of any person over the age of sixteen for infanticide it shall be lawful for the jury, if they are satisfied that the accused is guilty of an offence under section twelve of the Children Act, 1908, to find the accused guilty of such an offence, and in that case that section shall apply accordingly. 8 Edw. 7, c. 67.

2. This Act may be cited as the Infanticide Act, 1922. Short title.

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SECOND SCHEDULE.

[Ch. 19.] *Gaming Act*, 1922. [12 & 13 GEO. 5.]

A.D. 1922.

An Act to repeal section two of the Gaming Act, 1835.

Repeal of 5 & 6 Wm. 4, C. 41, s. 2.

1. Section two of the Gaming Act, 1835 (which makes money paid to the indorsee, holder, or assignee of securities given for consideration arising out of certain gaming transactions recoverable from the person to whom the securities were originally given) is hereby repealed. No trustee, executor, or other person acting in a representative or fiduciary capacity shall be under any obligation to make or enforce any claim under the said section in respect of any transaction completed before the application of this Act to Northern Ireland, or be liable for any breach of duty by reason of any failure to do so. No action for the recovery of money under the said section shall be entertained in any court.

Short title.

2. This Act may be cited as the Gaming Act, 1922.

THIRD SCHEDULE.

[12 & 13 GEO. 5.] *Bread Acts Amendment Act*, 1922. [Ch. 28.]

An Act to amend the enactments relating to the provision of regulations for the making and sale of bread, and for preventing the adulteration of meal, flour, and bread.

Amendment of 1 & 2 Vict. c. 28, so as to permit sale of self-raising flour.

1. Nothing in the enactments relating to the manufacture or sale of bread in Northern Ireland shall be deemed to prohibit the addition to any flour of any ingredient or mixture for the purpose of making such flour self-raising or the addition to such self-raising flour of ingredients suitable for the making of cakes or puddings, or the sale or offer or exposure for sale of any flour to which any such ingredient or mixture has been added.

Power to make regulations prohibiting or restricting the use of prescribed ingredients. 7 Edw. 7. c. 32.

2. The power of the Ministry of Home Affairs for Northern Ireland to make regulations under the Public Health (Regulations as to Food) Act, 1907, shall include a power to make regulations prohibiting or restricting the use for the purpose aforesaid of any such ingredient or mixture as may be prescribed, and prescribing the descriptions under which any flour to which any such ingredient or mixture has been added may be sold.

Saving of Sale of Food and Drugs Acts, 1875 to

3. Nothing in this Act shall prejudice or affect the operation of the Sale of Food and Drugs Acts, 1875 to 1907.

Short title.

4. This Act may be cited as the Bread Acts Amendment Act, 1922.

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FOURTH SCHEDULE.

[12 & 13 GEO. 5.] *Sale of Tea Act*, 1922. [Ch. 29.]

An Act to provide for the better protection of the public in relation to the sale of tea.

Conditions to be observed on sale of tea.

1.—(1) A person shall not, either by himself or by any servant or agent, sell by retail any tea, whether contained in a package or not, otherwise than by net weight, and in ounces or pounds or in multiples of ounces or pounds.

(2) A person shall not, either by himself or by any servant or agent, sell or have in his possession for sale by retail any tea packed ready for sale unless the package bears thereon or on a wrapper band or label affixed thereto a true statement of the net weight of the tea contained in the package.

(3) If any person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding, in the case of a first offence five pounds, in the case of a second offence fifty pounds, and in the case of a third or subsequent offence one hundred pounds.

(4) This section shall not apply to any sale of less than two ounces of tea, which does not purport to be a sale of two ounces or more, or to any package which contains less than two ounces of tea, and which does not purport to contain two ounces or more.

Power of inspector to weigh packages.

2.—(1) Where any person has in his possession for sale by retail any tea packed ready for sale, he shall, if so requested by any person duly authorised in that behalf by the local authority, weigh the contents of any package in the presence of that person, or permit that person himself to weigh the contents.

(2) If any person refuses to comply with a request made under this section, or in any other manner obstructs any person duly authorised as aforesaid in the execution of his powers and duties under this section, he shall be liable on summary conviction to a fine not exceeding five pounds.

Execution of Act by local authorities.

3.—(1) For the purposes of this Act, the local authority shall be the local authority for the purposes of the Weights and Measures Acts, 1878 to 1919, and the expenses of a local authority under this Act shall be defrayed in the same manner as the expenses of a local authority under those Acts.

(2) It shall be lawful for a local authority to execute and enforce the provisions of this Act and to take proceedings for any offence against this Act.

Defence of warranty. 38 & 39 Vict. c. 63. 62 & 63 Vict. c 51.

4. The provisions of section twenty-five of the Sale of Food and Drugs Act, 1875, and of section twenty of the Sale of Food and Drugs Act, 1899, as set out with the appropriate modifications in the Schedule to this Act, are hereby incorporated with this Act and shall apply to proceedings for offences against this Act as they apply to proceedings for offences against the Sale of Food and Drugs Acts, 1875 to 1907.

Saving.

5. Nothing in this Act shall affect any right of proceeding against a person under any other enactment or at common law.

Short title and commencement.

6.—(1) This Act may be cited as the Sale of Tea Act, 1922.

(2) This Act shall come into operation on the first day of nineteen hundred and twenty-two.

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Section 4.

SCHEDULE TO THE SALE OF TEA ACT, 1922.

PROVISIONS OF SALE OF FOOD AND DRUGS ACTS APPLIED.

(1) If in any proceedings under this Act in respect of any package of tea the defendant proves that he purchased the tea in the package in which he sold it or had it in his possession for the purposes of sale and with a written warranty of the net weight of the tea contained in the package, and that he had no reason to believe, at the time when he sold it or had it in his possession for the purposes of sale, that the package did not comply with the provisions of this Act, he shall be entitled to be discharged from the prosecution.

(2) For the purposes of the foregoing provision, a statement on any package or any wrapper, band or label affixed thereto or delivered therewith shall be deemed to be a warranty.

(3) A warranty shall not be available as a defence to any proceedings under this Act unless the defendant has, within seven days after service of the summons, sent to the prosecutor a copy of such warranty with a written notice stating that he intends to rely on the warranty, and specifying the name and address of the person from whom he received it, and has also sent a like notice of his intention to such person.

(4) The person by whom such warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence, and the court may, if it thinks fit, adjourn the hearing to enable him to do so.

(5) A warranty given by a person resident outside the United Kingdom shall not be available as a defence to any proceeding under this Act, unless the defendant proves that he had taken reasonable steps to ascertain and did in fact believe in the accuracy of the statement contained in the warranty.

(6) Where the defendant is a servant of the person to whom a warranty was given, he shall, subject to the provisions hereof, be entitled to rely on the defence hereby allowed in the same way as his employer or master would have been entitled to do if he had been the defendant, provided that the servant further proves that he had no reason to believe that the package of tea did not comply with the provisions of this Act.

(7) Where the defendant in a prosecution under this Act has been discharged under the provisions of this Schedule, any proceedings for giving the warranty relied on by the defendant in such prosecution may be taken as well before a court having jurisdiction in the place where the contravention of this Act took place, as before a court having jurisdiction in the place where the warranty was given.

(8) Every person who, in respect of any tea sold by him as principal or agent, gives to the purchaser a false warranty in writing, shall be liable on summary conviction, for a first offence, to a fine not exceeding twenty pounds, for a second offence to a fine not exceeding fifty pounds, and for any subsequent offence to a fine not exceeding one hundred pounds, unless he proves to the satisfaction o the court that when he gave the warranty he had reason to believe that the statements or descriptions contained therein were true.

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FIFTH SCHEDULE.

A.D. 1922.

[12 & 13 GEO. 5.] *Celluloid and Cinematograph Film Act*, 1922. [Ch. 35.]

An Act to make better provision for the prevention of fire in premises where raw celluloid or cinematograph film is stored or used.

General safety provisions.

1.—(1) No premises shall be used for any purpose to which this Act applies—

(a) unless the occupier has furnished to the local authority in writing a statement of his name, the address of the premises, and the nature of the business there carried on ;

(b) unless the premises are provided with such means of escape in case of fire as the local authority may reasonably require, and such means of escape are maintained in good condition and free from obstruction ;

(c) if the premises are situated underneath premises used for residential purposes ;

(d) if the premises are so situated that a fire occurring therein might interfere with the means of escape from the building of which they form part or from any adjoining building ;

(e) where the premises form part of a building, unless such part either :—

(i) is separated from any other part of the building by fire-resisting partitions (including fire-resisting ceilings and floors) and fire-resisting self-closing doors ; or

(ii) is so situated and constructed that a fire occurring therein is not likely to spread to other parts of the building, and its use for the purposes to which this Act applies is sanctioned in writing by the local authority and any conditions attached to such sanction are complied with ;

(f) unless the regulations set out in the First Schedule to this Act are duly observed :

(g) unless any regulations are duly observed which may be made by the Ministry of Home Affairs for Northern Ireland (hereinafter referred to as " the Ministry ") with respect to the use upon the premises of any cinematograph or other similar apparatus.

(2) In the case of premises used for any purpose to which this Act applies at the date of the commencement of this Act, the provisions of this section requiring the occupier to furnish a statement to the local authority shall take effect at the expiration of two months after the commencement of this Act, and the provisions of this section requiring means of escape in case of fire to be provided shall not take effect until the expiration of such period as may be reasonably necessary for enabling the occupier to comply with any requirements of the local authority in that respect.

(3) Any person aggrieved by any requirement of a local authority, or the refusal of the local authority to grant any sanction, or by the

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conditions attached to any such sanction, may, within seven days after being notified of such requirement, refusal or conditions, appeal to a court of summary jurisdiction, provided that he has given not less than twenty-four hours notice in writing of such appeal and of the grounds thereof to the local authority, and the court on any such appeal may make such order as appears to the court to be just, including any order for the payment of costs.

(4) The Ministry may by order, made in accordance with the provisions contained in the Second Schedule to this Act :—

(a) make regulations with respect to the use of any cinematograph or similar apparatus upon any premises used for any purpose to which this Act applies ; and

(b) modify or add to the regulations set out in the First Schedule to this Act, and those regulations shall thereupon have effect as so modified or added to.

An order made under this section may apply either generally, or to such classes or descriptions of premises as may be mentioned in the order.

Purposes to which the Act applies.

2. The purposes to which this Act applies are :—

(1) the keeping or storing of raw celluloid—

(a) in quantities exceeding at any one time one hundredweight ; or

(b) in smaller quantities unless kept (except when required to be exposed for the purpose of the work carried on in the premises) in a properly closed metal box or case ; and

(2) the keeping or storing of cinematograph film :—

(a) in quantities exceeding at any one time twenty reels, or eighty pounds in weight ; or

(b) in smaller quantities unless each reel is kept (except when required to be exposed for the purpose of the work carried on in the premises) in a separate and properly closed metal box or case :

Provided that—

(i) for the purposes of this Act, cinematograph film shall be deemed to be kept in any premises where it is temporarily deposited for the purpose of examination, cleaning, packing, re-winding or repair, but celluloid or cinematograph film shall not be deemed to be kept or stored in any premises where it is temporarily deposited whilst in the course of delivery, conveyance or transport ; and

(ii) the provisions of this Act shall not, except in the cases referred to in paragraphs (c), (d) and (e) of subsection (1) of section one thereof, apply to premises to which the Factory and Workshop Acts, 1901 to 1920, apply ; and

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(iii) the provisions of this Act shall not apply to premises licensed in accordance with the provisions of the Cinematograph Act, 1909. A.D. 1922. —

9 Edw. 7. c. 30.

Penalties for infringement of foregoing provisions.

3.—(1) In the event of any contravention in or in connection with any premises of the foregoing provisions of this Act, the occupier shall be liable on summary conviction to a fine not exceeding fifty pounds and, in the case of a continuing offence, to a further fine not exceeding ten pounds for each day on which the offence is continued after conviction thereof.

(2) In the event of the contravention by any person employed on any premises of any regulation contained in the First Schedule to this Act or of any regulation made under this Act, he shall be liable on summary conviction to a fine not exceeding five pounds.

(3) The provisions of section one hundred and forty-one of the Factory and Workshop Act, 1901 (which relates to the power of an occupier to exempt himself from fine on the conviction of the actual offender), shall apply to offences under this Act as it applies to offences under that Act. 1 Edw. 7. c. 22.

Execution of Act by local authorities.

4.—(1) It shall be the duty of local authorities to see that the provisions of this Act are duly complied with.

(2) The expenses incurred by a local authority in the execution of their powers under this Act shall be defrayed in the same manner as expenses incurred in the administration of the Public Health (Ireland) Acts, 1878 to 1919, or, in the case of town commissioners, in the same manner as expenses incurred in executing the Towns Improvement (Ireland) Act, 1854 ;

Provided that the limit of rate imposed by section sixty of the last-mentioned Act shall not apply for the purposes of this Act.

(3) The occupier of premises in respect of which a statement is required to be furnished to the local authority shall pay to the local authority when furnishing such statement and on the first day of January of every year thereafter, so long as the premises are used for any purpose to which this Act applies, such fees as the Ministry may prescribe.

Power of entry.

5.—(1) An officer duly authorised by a local authority may, at all reasonable times, enter and inspect any premises which are used, or which such officer has reasonable cause to believe are used, wholly or in part for any purpose to which this Act applies.

(2) Every such officer as aforesaid shall be furnished with a certificate of his authorisation by the local authority and when visiting any such premises as aforesaid shall, if so required, produce the said certificate to the occupier of the premises.

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Power to take samples.

6. An officer duly authorised by a local authority may, at any time, take for analysis sufficient samples of any material which he suspects to be or to contain celluloid.

Obstruction of officers.

7. If any person refuses to permit any officer authorised under this Act to enter or inspect any premises, or hinders or obstructs any such officer in the execution of his duty under this Act, or refuses to allow any officer to take samples in pursuance of the last preceding section or to give him facilities for the purpose, that person shall be liable on summary conviction to a fine not exceeding twenty pounds.

Power of county court to modify agreements and to apportion expenses.

8.—(1) If any occupier of premises is prevented by any agreement from carrying out any structural alterations which are necessary to enable him to comply with the provisions of this Act, and is unable to obtain the consent to those alterations of the person whose consent is necessary under the agreement, he may apply, in accordance with rules of court, to the county court, and the court, after hearing the parties and any witnesses whom they may desire to call, may make such an order setting aside or modifying the terms of the agreement as the court considers just and equitable in the circumstances of the case.

(2) Where in any premises any structural or other alterations are required in order to comply with the provisions of this Act and the occupier alleges that the whole or part of the expense of the alterations ought to be borne by the owner, the occupier may apply, in accordance with rules of court, to the county court, and the court, after hearing the parties and any witnesses whom they may desire to call, may make such order concerning the expenses or their apportionment as the court considers just and equitable in the circumstances of the case, regard being had to the terms of any contract between the parties, or in the alternative the court may, at the request of the occupier, determine the lease.

Definitions.

9. For the purposes of this Act :—

The expression " celluloid " means and includes the substances known as celluloid and xylonite and other similar substances, containing nitrated cellulose or other nitrated products, but does not include any substances which are explosives within the meaning of the Explosives Act, 1875 : 38 & 39 Vict. c. 17.

The expression " raw celluloid " means :—

(a) celluloid which has not been subjected to any process of manufacture ; and

(b) celluloid scrap or waste :

The expression " cinematograph film " means any film containing celluloid which is intended for use in a cinematograph or any similar apparatus :

The expression " local authority " means county borough councils, urban district councils, and town commissioners.

Short title and commencement.

10. This Act may be cited as the Celluloid and Cinematograph Film Act, 1922, and shall come into operation on the first day of January, nineteen hundred and twenty-three.

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SCHEDULES TO THE CELLULOID AND CINEMATOGRAPH FILM ACT, 1922.

FIRST SCHEDULE.

Sections 1 and

PART I.

RAW CELLULOID STORES.

The following regulation shall be observed in or in connection with premises where raw celluloid is kept or stored :—

All such celluloid shall be kept or stored in a fire-resisting store-room, and subject to the regulations applying to such store-rooms.

PART II.

PREMISES WHERE CINEMATOGRAPH FILM IS KEPT OR STORED.

The following regulations shall be observed in or in connection with premises where cinematograph film is kept stored or manipulated :

1. All stock except when actually being used or manipulated shall be kept either in a fire-resisting store-room and subject to the regulations applying to such store-rooms, or in fire-resisting receptacles which shall not be used for any other purpose and shall be plainly marked " Film."

2. Every reel of film shall, except when required to be exposed for the purposes of the work carried on in the premises, be kept in a separate and properly closed metal box.

3. Not more than 10 reels or 40 pounds of film shall be exposed at any one time.

4. The following provisions shall apply to every room used :—

(a) for the storing, or

(b) for the examination, cleaning, packing, re-winding or repair of film :—

(i) the room shall be used for no other purpose ;

(ii) the room shall be kept properly ventilated ;

(iii) adequate means of extinguishing fire, having regard to the amount of film on the premises, shall be kept constantly provided and readily available ;

(iv) the furniture and apparatus shall be so arranged as to afford free egress to persons in the room in the event of fire ;

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(v) no open light or fire shall be allowed;

(vi) the fittings shall, so far as is practicable, be of non-inflammable or fire-resisting material;

(vii) the doors shall be self-closing, and shall, except in the case of sliding doors, be so constructed as to open outwards;

(viii) no person shall smoke in or take matches into the room;

(ix) there shall be kept posted up in large characters in the room:—

(a) a printed copy of Parts II. and III. of this Schedule;

(b) full instructions as to the action to be taken in case of fire; and

(c) full directions as to the means of escape from the room in case of fire.

5. All celluloid waste and scrap on the premises shall be collected at frequent intervals and placed either in a fire-resisting store-room, or in a strong metal receptacle fitted with a hinged lid and marked "Celluloid Waste."

PART III.

FIRE-RESISTING STORE-ROOMS.

The following regulations shall apply to fire-resisting store-rooms:—

1. The store-room shall be constructed of fire-resisting material in such manner as to prevent as far as is reasonably practicable any fire occurring in the store-room from spreading to other parts of the premises or to other premises, and any fire occurring outside the store room from reaching the contents thereof.

2. The store-room shall be properly ventilated.

3. The fittings of the store-room shall, so far as is practicable, be of non-inflammable or fire-resisting material.

4. Adequate means of extinguishing fire shall be kept constantly provided and readily available.

5. No open light and no means of heating shall be allowed in the store-room.

6. If electric light is used, all conductors and apparatus shall be so constructed, installed, protected, worked and maintained as to prevent danger. Vacuum-type lamps only shall be used, and shall be in fixed positions and fitted with substantial outer protecting globes.

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7. No person shall smoke in or take matches into the store-room. A.D. 1922.

8. The doors of the store-room shall be self-closing and shall be kept securely locked, except when articles are being placed therein or removed therefrom.

9. The store-room shall not be used for any purpose other than the keeping of celluloid or cinematograph film, and shall be clearly marked " Celluloid " or " Film."

10. Not more than one ton of celluloid and not more than five hundred and sixty reels or one ton of cinematograph film shall be kept in one store-room :

Provided that, where a store-room is divided into separate compartments by separate fire-resisting partitions without any openings therein, each such compartment may, for the purposes of this provision, be regarded as a separate store-room.

11. When both celluloid and cinematograph film are stored in one store-room, the aggregate quantity therein shall, at no time, exceed one ton.

SECOND SCHEDULE.

Section 1.

PROCEDURE FOR MAKING ORDERS, &C.

1. Before the Ministry makes any order, it shall publish, in such manner as it may think best adapted for informing persons affected, notice of the proposal to make the order, and of the place where copies of the draft order may be obtained, and of the time (which shall not be less than twenty-one days) within which any objection made with respect to the draft order by or on behalf of persons affected must be sent to the Ministry.

2. Every objection must be in writing and state—

(a) the draft order or portions of the draft order objected to ;
(b) the specific grounds of objection ; and
(c) the omissions, additions, or modifications asked for.

3. The Ministry shall consider any objection, made by or on behalf of any persons appearing to the Ministry to be affected, which is sent to it within the required time, and it may, if it thinks fit, amend the draft order, and shall then cause the amended draft to be dealt with in like manner as an original draft.

4. Where the majority of the occupiers of the premises affected by the proposed order dispute the reasonableness of the requirements in the proposed order, and the Ministry does not amend or withdraw

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the draft order, the Ministry shall, before making the order, direct an inquiry to be held in the manner hereinafter provided. The Ministry may also direct an inquiry to be held in regard to any objection, though not made by the majority of the occupiers, if he thinks fit.

5. The Ministry may appoint a competent person to hold an inquiry with regard to any draft order, and to report to it thereon.

6. The inquiry shall be held in public, and any person who, in the opinion of the person holding the inquiry, is affected by the draft order, may appear at the inquiry either in person or by counsel, solicitor, or agent.

7. The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

8. Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Ministry.

9. The fee to be paid to the person holding the inquiry shall be such as the Ministry may direct.

10. The order shall be laid as soon as possible before both Houses of the Parliament of Northern Ireland, and, if either House within the next forty days after the order has been laid before that House resolve that all or any of the provisions of the order ought to be annulled, the order shall, after the date of the resolution, be of no effect, without prejudice to the validity of anything done in the meantime thereunder or to the making of any new order. If any of the provisions of an order are annulled, the Ministry may, if it thinks fit, withdraw the whole order.

11. Notice of any order having been made and of the place where copies of them can be purchased shall be published in the Belfast Gazette.

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CHAPTER 21.

A.D. 1922.

An Act to deal with certain Expiring Laws as respects Northern Ireland, by making some of them permanent, repealing others and continuing the remainder for a limited period.

[2nd November, 1922].

WHEREAS the Acts (whether passed by the Parliament of the United Kingdom or by the Parliament of Northern Ireland) mentioned in the Schedules to this Act are, in so far as they are in force in Northern Ireland and are temporary in their duration, limited to expire on the several dates specified in the said Schedules in connection with such Acts respectively:

And whereas it is expedient that the Acts mentioned in the First Schedule to this Act should be made permanent, that the Acts mentioned in the Second and Fourth Schedules to this Act should be repealed, and that the Acts mentioned in the Third and Fifth Schedules to this Act should be continued, or deemed to have been continued, as in this Act mentioned, together in each case with any enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Certain Acts to be made permanent.

1. The Acts mentioned in the First Schedule to this Act shall, to the extent specified in column three of that Schedule, become permanent Acts as respects Northern Ireland, and any provision in any Act in force in Northern Ireland at the date of the passing of this Act which limits the period for which any of those Acts or any parts thereof are to remain in operation shall cease to have effect.

Certain Acts to be repealed.

2. The Acts mentioned in the Second and Fourth Schedules to this Act are hereby repealed as respects Northern Ireland, to the extent specified in column three of those Schedules.

Certain Acts to be continued temporarily.

3.—(1) The Acts mentioned in Parts I. and II. of the Third Schedule to this Act shall, to the extent speci-

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A.D. 1922.

fied in column three of that Schedule, be continued as respects Northern Ireland until the thirty-first day of December, nineteen hundred and twenty-three, and shall then expire unless further continued.

(2) The Acts mentioned in Parts III. and IV. of the Third Schedule to this Act and in the Fifth Schedule thereto shall, to the extent specified in column three of those Schedules, be continued as respects Northern Ireland until the thirty-first day of March, nineteen hundred and twenty-four, and shall then expire unless further continued.

(3) The Acts mentioned in Part V. of the Third Schedule to this Act shall, to the extent specified in column three of that Schedule, be, as respects Northern Ireland, deemed to have been continued as from the dates of their expiry up to the date of the passing of this Act, and shall thereafter be so continued to that extent until the thirty-first day of December, nineteen hundred and twenty-three, and shall then expire unless further continued.

Amending enactments.

4. Any unrepealed enactments amending or affecting the enactments made permanent or continued by this Act shall, in so far as they are temporary in their duration become permanent or be continued in like manner, whether they are mentioned in the First, Third or Fifth Schedule (as the case may be) to this Act, or not.

Short title and construction.

5.—(1) This Act may be cited as the Expiring Laws Act (Northern Ireland), 1922.

(2) References in this Act to any enactments or Acts of the Parliament of the United Kingdom shall be construed as references to those enactments or Acts as they apply to Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, and of any order made by His Majesty in Council in pursuance of the last-mentioned Act.

10 & 11 Geo 5. c. 67.

(3) Nothing in this Act shall be construed as affecting any enactment in so far as the enactment relates to a matter with respect to which the Parliament of Northern Ireland has not power to make laws.

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Section 1

SCHEDULES.

FIRST SCHEDULE.

Enactments of the United Kingdom Parliament made Permanent.
(Date of Expiry—31st December, 1922).

1. Session and Chapter.	2. Short Title.	3. How far made permanent	4. Amending Acts.
(1) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865.	The whole Act so far as unrepealed.	59 & 60 Vict. c. 36. 1 & 2 Geo. 5. c. 45.
(2) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act so far as unrepealed.	——
(3) 3 Edw. 7, c. 36.	The Motor Car Act, 1903.	The whole Act so far as unrepealed.	10 & 11 Geo. 5, c. 72.
(4) 5 Edw. 7, c. 18.	The Unemployed Workmen Act, 1905.	The whole Act.	9 Edw. 7, c. 7.

Section 2.

SECOND SCHEDULE.

Enactments of the United Kingdom Parliament Repealed.
(Date of Expiry—31st December, 1922.)

1. Session and Chapter.	2. Short Title.	3. How far repealed.	4. Amending Acts.
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	Section seventy eight.	——

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THIRD SCHEDULE.

Enactments of the United Kingdom Parliament Continued in their Duration.

A.D. 1922

Section 3.

PART I.

(Date of Expiry—31st December, 1922.)

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 3 & 4 Vict., c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act.	5 & 6 Vict., c. 68. 7 & 8 Vict., c. 47. 30 & 31 Vict., c. 60.
(2) 33 & 34 Vict., c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act.	34 & 35 Vict., c. 100. 49 & 50 Vict., c. 6.
(3) 39 & 40 Vict., c. 21.	The Jurors' Qualification (Ireland) Act, 1876.	The whole Act.	57 & 58 Vict., c. 49. 61 & 62 Vict., c. 37, s. 69.
(4) 46 & 47 Vict., c. 60	The Labourers (Ireland) Act, 1883.	The whole Act.	48 & 49 Vict., c. 77. 49 & 50 Vict., c. 59. 54 & 55 Vict., c. 48. 54 & 55 Vict., c. 71. 55 & 56 Vict., c. 7. 59 & 60 Vict., c. 53. 61 & 62 Vict., c. 37. 3 Edw. 7, c. 37. 6 Edw. 7, c. 37. 7 Edw. 7, c. 36. 7 Edw. 7, c. 44. 9 Edw. 7, c. 42. 1 & 2 Geo. 5, c. 19. 4 & 5 Geo. 5, c. 32. 8 & 9 Geo. 5., c. 20. 9 & 10 Geo. 5., c. 55.

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A.D. 1922.

THIRD SCHEDULE.—(Continued).

PART I.—(continued).

(Date of Expiry—31st December, 1922.)

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(5) 2. Edw. 7., c. 18.	The Licensing (Ireland) Act, 1902.	The whole Act.	——
(6) 1 & 2 Geo. 5., c. 55.	The National Insurance Act, 1911.	Section forty-two.	3 & 4 Geo. 5., c. 37. 4 & 5 Geo. 5., c. 81. 7 & 8 Geo. 5., c. 62. 10 & 11 Geo. 5., c. 10.
(7) 2 & 3 Geo. 5., c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	——
(8) 4 & 5 Geo. 5., c. 3.	The Grey Seals Protection Act, 1914.	The whole Act.	——
(9) 7 & 8 Geo. 5., c. 42.	The Workmen's Compensation (War Addition) Act, 1917.	The whole Act.	9 & 10 Geo. 5., c. 83.
(10) 10 & 11 Geo. 5., c. 57.	The Unemployment (Relief Works) Act, 1920.	The whole Act.	——
(11) 11 & 12 Geo. 5., c. 66.	The National Health Insurance (Prolongation of Insurance) Act, 1921.	The whole Act.	——

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THIRD SCHEDULE.—(Continued.)

PART II.

A.D. 1922.

(Date of Expiry—1st July, 1923.)

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
11 & 12 Geo. 5., c. 1.	The Unemployment Insurance Act, 1921.	The provisions as to increases in the rates of unemployment benefit and in the rates of contributions.	11 & 12 Geo. 5., c. 15.

PART III.

(Date of Expiry—31st August, 1923 (as regards Tramways, 15th February, 1923)).

8 & 9 Geo. 5., c. 34.	The Statutory Undertakings (Temporary Increase of Charges) Act, 1918.	The whole Act.	10 & 11 Geo. 5., c. 14.

PART IV.

(Date of Expiry—15th February, 1923.)

10 & 11 Geo. 5., c. 21.	The Harbours, Docks, and Piers (Temporary Increase of Charges) Act, 1920.	The whole Act.	——

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THIRD SCHEDULE.—(Continued)

A.D. 1922

PART V.

(Date of Expiry—{As to No. (1)—31st August, 1922. / As to No. (2)—15th August, 1922.)

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 4 & 5 Geo. 5., c. 78.	The Courts (Emergency Powers) Act, 1914.	So far as it relates— (a) to enforcing the lapse of policies of insurance, and (b) to orders made by any court before the thirty-first day of August, nineteen hundred and twenty-two.	5 & 6 Geo. 5, c. 19. 6 & 7 Geo. 5, c. 13. 6 & 7 Geo. 5, c. 18. 7 & 8 Geo. 5, c. 25. 9 & 10 Geo. 5, c. 64. 10 Geo. 5, c. 5.
(2) 9 & 10 Geo. 5., c. 45.	The Housing (Ireland) Act, 1919.	Section twenty-one.	——

FOURTH SCHEDULE.

Section 2.

Enactments of the Parliament of Northern Ireland Repealed.

(Date of Expiry—12th April, 1923.)

1. Session and Chapter.	2. Short Title.	3. How far repealed.	4. Amending Acts.
12 & 13 Geo. 5., c. 6.	The Criminal Procedure Act (Northern Ireland), 1922.	The whole Act.	——

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FIFTH SCHEDULE.

Section 3.

Enactments of the Parliament of Northern Ireland Continued in their Duration.

(Date of Expiry—{as to No. (1)—13th December, 1922. / as to No. (2)—6th April, 1923.)

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 12 Geo. 5., c. 5.	The Local Government (Emergency Powers) Act, 1921 [N. I.].	The whole Act.	——
(2) 12 & 13 Geo. 5. c. 5.	The Civil Authorities (Special Powers) Act (Northern Ireland), 1922.	The whole Act.	——

CHAPTER 22

An Act to postpone Elections of County and Rural District Councillors and Guardians in Northern Ireland, and of the Belfast City and District Water Commissioners, and to remove difficulties with respect to the Constitution of certain Local Authorities. [2nd November, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

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Postponement of next elections of county councillors, rural district councillors and guardians.

1.—(1) The next triennial elections of county councillors, rural district councillors and guardians in urban districts, instead of being held on the ordinary day of election in the year nineteen hundred and twenty-three, shall be postponed until the ordinary day of election in the year nineteen hundred and twenty-four, and the term of office of each existing councillor and guardian shall accordingly be extended so as to expire on the day next after such day of election.

(2) Any provisions of any Act, order or regulations relating to county councillors, rural district councillors or guardians, or to chairmen, vice-chairmen, deputy vice-chairmen or committees of those bodies, shall be construed as if they were modified in such manner as to give full effect to the provisions of this section.

(3) The provisions of this section shall apply to the Belfast City and District Water Commissioners and to the existing members of that body.

Removal of difficulties, &c.

12 & 13 Geo. 5, c. 16.

2.—(1) The Ministry shall have, for the purpose of giving effect to this Act, the like powers of making orders (whether for adapting enactments or orders, removing difficulties, or otherwise) as it has for the purpose of giving effect to the Local Government Act (Northern Ireland), 1922.

(2) It is hereby declared that, as respects the year nineteen hundred and twenty-three and subsequent years—

(*a*) in the case of the council of an urban district other than a borough and of the commissioners of a town, the day of the annual meeting and ordinary day of election of the chairman and vice-chairman is the twenty-third day of January;

(*b*) in the case of the council of a borough the quarterly meeting is to be held on the twenty-third day of January, and the election of the mayor is to take place thereat; and

(*c*) the day of the annual meeting and ordinary day of election of the chairman and vice-chairman of a rural district council shall be the fifth day, and of a county council the twelfth day next after the ordinary day of election of

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A.D. 1922.

councillors, or next after the day which was the ordinary day of election at the last triennial election of the councillors (as the case may require).

Interpretation, short title and construction.

3.—(1) In this Act—

The expression " existing councillor and guardian " means a councillor or guardian holding office on the ordinary day of election in the year nineteen hundred and twenty-three.

(2) This Act may be cited as the Local Authorities (Elections and Constitution)Act (Northern Ireland), 1922, and shall be construed as one with the Local Government Acts (Northern Ireland), 1898 to 1922.

CHAPTER 23.

An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, and to appropriate the further Supplies granted in this Session of Parliament. [14th December, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Lord Lieutenant, granted to His Majesty in this Session of Parliament, as follows :—

GRANT OUT OF CONSOLIDATED FUND.

Issue of £401.908 out of the Consolidated Fund.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, the sum of four hundred and one thousand, nine hundred and eight pounds.

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Power for the Ministry of Finance to borrow.

2.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sum, any sum or sums not exceeding in the whole two hundred thousand pounds.

(2) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.

(3) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and twenty-three.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of grants.

3. The sums granted by this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by Schedule (A) annexed hereto, in the aggregate, to the sum of four hundred and one thousand, nine hundred and eight pounds, are appropriated for the several services and purposes expressed in Schedule (B) annexed hereto.

In addition to the sums hereby granted out of the said Consolidated Fund, there may be applied as appropriations in aid of the grants for the several services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said Schedule (B).

Short title.

4. This Act may be cited as the Appropriation (No. 2) Act (Northern Ireland), 1922.

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SCHEDULE (A).

Grant out of the Consolidated Fund .. £401,908 0s. 0d.

SCHEDULE (B).

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1923, viz. :—

No. CLASS II.	Sums Granted.	Appropriations in Aid.
	£	£
1. For the salaries and expenses of the Ministry of Home Affairs ..	4,695	3,580
4. For the expenses of Prisons ..	83,865	—
7. For the salaries and expenses of the Special Constabulary ..	313,348	100
	£401,908	£3,680

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CHAPTER 24

An Act to authorise the Ministry of Finance for Northern Ireland to guarantee the payment of Loans to be applied towards or in connection with the carrying out of capital undertakings calculated to promote employment in Northern Ireland. [14th December, 1922.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Power of Ministry of Finance to guarantee certain loans.

1.—(1) If the Ministry of Finance for Northern Ireland (in this Act referred to as "the Ministry"), after consultation with an advisory committee nominated by the Minister of Finance for Northern Ireland for the purposes of this Act, is satisfied that the proceeds of any loan proposed to be raised by any public authority, or any corporation or other body of persons, are to be applied towards or in connection with the carrying out of any capital undertaking, and that the application of the loan in the manner proposed is calculated to promote employment in Northern Ireland, the Ministry may, subject to the provisions of this Act, guarantee, in such manner and form and on such terms and conditions as the Ministry thinks proper, the payment of the interest and principal of the loan or of either interest or principal:

Provided that the aggregate capital amount of the loans, the principal or interest of which is guaranteed under this Act, shall not exceed the sum of two million pounds.

(2) No guarantee shall be given by the Ministry under this Act after the expiration of twelve months from the commencement of this Act.

(3) Such sums as may from time to time be required by the Ministry for fulfilling any guarantees given under this Act shall be charged on and issued out of the Consolidated Fund of Northern Ireland or the growing produce thereof.

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A.D. 1922.

(4) For the purpose of meeting the costs and expenses incurred by the Ministry in administering this Act, there shall be charged in connection with applications for and the giving of guarantees under this Act such fees as the Ministry may from time to time prescribe.

(5) All sums paid from time to time in or towards the repayment of any sum issued out of the said Consolidated Fund under this Act shall be paid into the Exchequer of Northern Ireland.

(6) The Ministry shall, as soon as may be after the expiration of each quarter of the year during which guarantees may be given under this Act, lay before both Houses of Parliament a statement of the guarantees given under this Act during that quarter, together with particulars of the purposes to which the loans guaranteed were to be applied, and shall, so long as any such guarantees are in force, lay before both Houses of Parliament in every year as soon as practicable after the thirty-first day of March an account up to that date of the total sums, if any, which have been either issued out of the said Consolidated Fund under this Act or paid in or towards repayment of any money so issued.

(7) In this Act the expression "capital undertaking" means an undertaking involving capital expenditure.

2. This Act may be cited as the Loans Guarantee Act (Northern Ireland), 1922.

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TABLE II

SHOWING THE EFFECT OF THE YEAR'S LEGISLATION

PART 1

ACTS OF PARLIAMENT OF THE UNITED KINGDOM (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF THE PARLIAMENT OF NORTHERN IRELAND PASSED IN THE SESSION 12 & 13 GEO. 5

Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
2 & 3 Will. 4, c. 108	Special Constables.	Regulations under, to be made by Minister.	8 s. 8 (1)
6 & 7 Wm. 4, c. 13	Constabulary (Ireland.)	In general applied (with modifications) together with the subsequent enactments relating to the Royal Irish Constabulary, to the Royal Ulster Constabulary, and its management and control.	8s 1. (3).
		In particular Ss. 5, 14, 17, 31, so applied.	8 ss. 6, 7 (1) Sch. 1, Sch. 2.
2 & 3 Vict. c. 75	Constabulary (Ireland).	S. 7 rep. as in its application to the Royal Ulster Constabulary.	8 s. 7 (1) (h) (i).
3 & 4 Vict. c. 91	Textile Manufacturers.	Continued to Dec. 31, 1923.	21 s. 3 (1) Sch. 3 Pt. 1.
14 & 15 Vict. c. 93	Petty Sessions (Ireland.)	S. 14 extended.	5, s. 9.

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Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
24 & 25 Vict. c. 97	Malicious Damage.	Am. as respects punishment for certain offences.	5 s. 5.
28 & 29 Vict. c. 83	Locomotives	Made permanent (so far as unrepealed).	21 s. 1. Sch. 1.
33 & 34 Vict. c. 112	Glebe Loan (Ireland.)	Continued to Dec. 31, 1923.	21. s. 3 (1), Sch. 3 Pt. 1.
37 & 38 Vict. c. 80	Constabulary (Ireland.)	S. 7 rep. as in its application to the Royal Ulster Constabulary.	8 s. 7 (1) (j).
39 & 40 Vict. c. 21	Jurors' Qualification (Ireland).	Continued to Dec. 31, 1923.	21 s. 3 (1) Sch. 3 Pt. 1.
43 & 44 Vict. c. 42	Employers Liability.	Made permanent (so far as unrepealed.)	21 s.1. Sch. 1.
46 & 47 Vict. c. 3	Explosive Substances	Am. as respects punishment for crimes.	5 ss. 5, 6.
c. 60	Labourers. (Ireland.)	Continued to Dec. 31, 1923.	21 s. 3 (1), Sch. 3 pt. 1.
54 & 55 Vict. c. 39	Stamp.	S. 1. Sch. 1 am.	18 s. 7.
56 & 57 Vict. c. 66	Rules Publication.	S. 1 excluded.	5 s. 1 (4).
57 & 58 Vict. c. 30	Finance.	S. 20 extended.	18 s. 8.
61 & 62 Vict. c. 17	Solicitors (Ireland).	Appld. to Incorporated Law Society of Northern Ireland with modifications Ss. 8, 12, 14, 15, 17, 18, 29, 30, 40, 57 Am.	19 ss. 1, 2, 3, 4, 5.
Vict. c. 36	Criminal Evidence.	Ss. 1 to 4 applied in case of person charged with certain offences.	5 s. 2 (7).
Vict. c. 37	Local Government (Ireland.)	Ss. 2 (3), (4), 23 (3), 24 am.	16 s. 1 (4) Sch. part ii.

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Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
Order of Lord Lieutenant in Council under s. 104 of 61 & 62 Vict. c. 37	Local Government (Application of Enactments.)	Sched. Art. 9 (1) extd.	16 s. 5, Schd.
2 Edw. 7. c. 18	Licensing (Ireland.)	Continued to Dec. 31, 1923.	21 s. 3 (1), Sch. 3 Pt. 1.
3 Edw. 7, c. 36	Motor Car.	Made permanent (so far as unrepealed.)	21 s. 1, Sch. 1.
5 Edw. 7, c. 18	Unemployed Workmen.	Made permanent.	21 s. 1, Sch. 1.
6 Edw. 7, c. 14	Alkali, &c., Works Regulation.	S. 9 (6) am.	18 s. 6.
9 Ewd. 7, c. 7	Unemployed Workmen.	Made permanent (so far as unrepealed.)	21 s. 1, sch 1.
9 Edw. 7, c. 10	Superannuation.	Ss. 2 & 3 extended and a.m.	2 s. 1.
10 Edw. 7, c. 8	Finance (1909-10.)	S. 33 (5) am.	9 s. 1 (2).
1 & 2 Geo. 5, c. 45	Locomotives.	Made permanent (so far as unrepealed.)	21 s. 1, sch 1.
1 & 2 Geo. 5, c. 55	National Insurance.	S. 42 contd. to Dec. 31, 1923. S. 78 rep.	21 s. 3 (1), Sch. 3 pt. 1. 21 s. 2, Sch. 2.
2 & 3 Geo. 5, c. 2	Coal Mines (Minimum Wage.)	Contd. to Dec. 31, 1923.	21 s. 3 (1), Sch. 3 pt. 1.
4 & 5 Geo. 5, c. 3	Grey Seals Protection	Contd. to Dec. 31, 1923.	21 s. 3 (1), Sch. 3 pt. 1.
4 & 5 Geo. 5, c. 61	Special Constables	Extended and amended.	8 s. 8.

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Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
4 & 5 Geo. 5, c. 78	Courts (Emergency Powers.)	Contd. to Dec. 31, 1923, so far as it relates (a) to enforcing the lapse of policies of insurance and (b) to orders made by any court before the thirty-first day of August, nineteen hundred and twenty-two.	21 s. 3 (3), Sch. 3 pt. V.
6 Geo. 5, c. 11	Finance (New Duties.)	Ss. 1 (3), 1 (5) am. and explained.	18 ss. 1, 2, 3.
6 & 7 Geo. 5, c. 50	Larceny.	S. 30 am. as respects punishment for offences.	5 s. 5.
7 & 8 Geo. 5, c. 42	Workmen's Compensation (War Addition.)	Continued to Dec. 31, 1923.	21 s. 3 (1) Sch. 3 pt. 1.
c. 59	Midwives (Ireland).	Ss. 3 rep. 4, 5, 11, 13, 14, 15, 25, 29 am.	10 ss. 1, 2, Sched.
c. 62	National Health Insurance.	S. 29 temp. am.	15 s. 2.
c. 64	Representation of the People.	Ss. 3, 4 (3) am.	16 s. 6.
8 & 9 Geo. 5, c. 34	Statutory Undertakings (Temporary Increase of Charges.)	Continued to March 31, 1924,	21 s. 3 (2) Sch. 3 pt. iii.
9 & 10 Geo. 5, c. 19	Local Government (Ireland.)	Ss. 1 rep., 3, 4 (1) prosp. am. 4 (2) (3) am., 5 prosp. am., 10, 11 in part rep.	16 ss. 1 (2) (3) (4), 3, 4, Schd.
c. 45	Housing (Ireland.)	S. 21 continued to Dec. 31, 1923.	21 s. 3 (3), Sch. 3 pt. V.

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Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
9 & 10 Geo. 5, c. 57	Acquisition of Land (Assessment of Compensation.)	S. 1 am.	9 s. 1 (1) (3).
c. 68	Constabulary and Police (Ireland.)	Ss. 1, 4, 8, 9, am. as in its application to the Royal Ulster Constabulary.	8 ss. 2 (2) (3), 7 (1) (e).
c. 96	Nurses Registration (Ireland.)	Ss. 1 rep. 2, Sched. am.	10 ss. 1, 2, Sched.
10 & 11 Geo. 5, c. 5	War Emergency Laws (continuance).	Am. so far as relates to 4 & 5 Geo. 5., c. 61	8 s. 8 (3)
10 & 11 Geo. 5. c. 18	Finance.	Sch. 2 am.	18 s. 4.
c. 21	Harbours, Docks & Piers (Temporary increase of charges.)	Contd. to March 31, 1924.	21 s. 3 (2), Sch. 3 pt. IV.
c. 30	Unemployment Insurance.	Ss. 5 (2) (3), 7 (1) (i), 12 (3), Sch. 1, part ii (d), Sch. 2 (3) (6) am. 2 ext., 8 (4) Sch. 2 (2) restrict. Sch. 1 pt. ii (bb) added, 27 rep.	7 ss. 1, 2, 3 (3), 4, 6 (1), 7, 10, 14, 16 (2) (7), Sch. 1.
c. 43	Firearms.	Am. as respects punishment for certain offences and as to trials for offences.	5. s. 5, Sch.
c. 57	Unemployment (Relief Works)	Continued to Dec. 31, 1923.	21 s. 3 (1). Sch. 3 pt. 1.
c. 72	Roads.	S. 9 am.	18 s. 5.
		Made permanent (so far as it amends 3 Edw. 7., c. 36)	21 s. 1, Sch. 1.

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Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
11 Geo. 5, c. 1	Unemployment Insurance.	S. 5 am.	4 s. 1 (1).
		S. 9 (4) am.	7 s. 12.
11 & 12 Geo. 5, c. 1	Unemployment Insurance.	Provisions as to increase of unemployment benefit and in the rates of contributions, contd. to Dec. 31, 1923.	21 s. 3 (1), Sch. 3 pt. ii.
		Ss. 2 (2) rep. 5. 9 (1) (4) am.	7 ss. 3, 5, 6 (2), 8, 12, 16 (5) (7), Sch. 2.
c. 15	Unemployment Insurance (No. 2.)	S. 4 am. am. S. 12 (2) added.	4 s. 1 (1). 7 ss. 3, 5, 6 (2), 9.
c. 62	Unemployed Workers' Dependents.	Repealed.	7 ss. 13, 16 (5), Sch 2.
c. 66	National Health Insurance (Prolongation of Insurance)	Contd. to Dec. 31, 1923.	21 s. 3 (1) Sch. 3 pt. 1.
12 & 13 Geo. 5, c. 17	Estate Duty.	Section 45 applied.	18 s. 8.
c. 18	Infanticide.	Appld.	20 s. 1, Sch. 1.
c. 19	Gaming.	Appld. with modns.	20 s. 1, Sch. 2.
c. 28	Bread Acts Amendment.	Appld. with modns.	20 s. 1, Sch. 3.
c. 29	Sale of Tea.	Appld.	20 s. 1, Sch. 4.
c. 35	Celluloid Cinematograph Film	Appld. with modns.	20 s. 1, Sch. 5.

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PART 2

ACTS OF PARLIAMENT OF NORTHERN IRELAND (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF THAT PARLIAMENT PASSED IN THE SESSION 12 & 13 GEO. 5

Statute and Chapter of Act of Parliament.	Subject matter or Short Title.	How affected.	Chapter of 12 & 13 Geo. 5.
12 Geo. 5, c. 3	Superannuation.	S. 2 am.	2 s. 1.
c. 5	Local Government (Emergency Powers.)	Contd. to Dec. 31, 1923.	21 s. 3 (2), Sch. 5.
12 & 13 Geo. 5, c. 5	Civil Authorities (Special Powers.)	Contd. to Dec. 31, 1923.	21 s. 3 (2), Sch. 5,
c. 6	Criminal Procedure.	Rep.	21 s. 2, Sch. 4,
c. 7	Unemployment Insurance (Northern Ireland.)	S. 4 am.	17 s. 1 (1)
c. 16	Local Government (Northern Ireland.)	S. 7 Applied.	22 s. 2 (1).

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TABLE III

INDEX

TO THE

PUBLIC GENERAL STATUTES

12 & 13 GEO. 5—A.D. 1922

ACQUISITION OF LAND (ASSESSMENT OF COMPENSATIONS) ACT, 1919: PAGE
REFEREES AND ARBITRATORS (PROCEDURE) (c. 9). .. 47

ACTS OF UNITED KINGDOM PARLIAMENT: Application of certain, to Northern Ireland. 88–100

ALDERMEN:
Annual election and retirement of (c. 16, s. 3). .. 70

ALKALI, &c., WORKS REGULATION ACT, 1906 (s. 9 (6)):
Stamp duty on certificates of regulation of alkali, &c., works (c. 18, s. 6). 82

ALLEGIANCE, DECLARATION OF:
Required of members and officers of local authorities and of committees appointed by local authorities. (c. 16, s. 5). .. 72–78

APPRENTICES OF SOLICITORS:
SOLICITORS (c. 19). 84

APPROPRIATION; To apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, and to appropriate the Supplies granted in this Session of Parliament. Ch. 14. 61

APPROPRIATION (No. 2); To apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and twenty-three, and to appropriate the further Supplies granted in this Session of Parliament. Ch. 23. 110

AGRICULTURE, MINISTRY OF:
LIVE STOCK BREEDING (c. 12). 53

ARREST, Power of: 10

ATTORNEY GENERAL:
CRIMINAL PROCEDURE (c. 6). 22

ATTORNEY GENERAL FOR NORTHERN IRELAND:
SOLICITORS (c. 19). 85

BELFAST CITY AND DISTRICT WATER COMMISSIONERS:
LOCAL GOVERNMENT. (c. 16, s. 4). 71
LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) (c. 22). .. ..

Digitized by Google

PAGE

BELFAST CORPORATION ACT, 1896:
LOCAL GOVERNMENT. (c. 16, s. 4). 71

BELFAST, COUNCIL OF THE COUNTY BOROUGH OF:
Payment of salary of officer or cost of constable of Royal Ulster Constabulary not to be made. (c. 8, s. 4). .. 40
LOCAL GOVERNMENT. (c. 16, s. 4). 71

BELFAST GAZETTE:
UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20, FIFTH SCHEDULE). .. ..

BELFAST WATER ACT, 1897:
LOCAL GOVERNMENT (c. 16). 72

BOARS:
LIVE STOCK BREEDING (c. 12). 58

BOROUGH COUNCIL:
Annual election and retirement of members of (c. 16, s. 3). .. 70
LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) (c. 22).

BORROWING POWERS, Ministry of Finance. .. .. 1—3

BREAD ACTS, AMENDMENT ACT, 1922:
Applied to Northern Ireland (c. 20, Third Schedule). .. 90

BULLS:
LIVE STOCK BREEDING (c. 12). 53

CANDIDATES FOR LOCAL ELECTIONS:
LOCAL GOVERNMENT. (c. 16). 70

CONSOLIDATED FUND: 1.61

CELLULOID AND CINEMATOGRAPH FILM ACT, 1922:
Applied to Northern Ireland (c. 20, Fifth Schedule). .. 93

CENTRAL MIDWIVES BOARD FOR NORTHERN IRELAND:
JOINT NURSING AND MIDWIVES COUNCIL (c. 10). .. 49

CHILDREN ACT, 1908 (s. 12):
UNIFORMITY OF LAWS (INFANTICIDE ACT, 1922) (c. 20). 89

CHURCH TEMPORALITIES FUND; To make provision for the management, administration and disposition of the part of the Irish Church Temporalities Fund apportioned to the Government of Northern Ireland, and for purposes connected therewith. Ch. 13. 59

CINEMATOGRAPH:
UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20, Fifth Schedule). 93

CIVIL AUTHORITIES (SPECIAL POWERS) (NORTHERN IRELAND) ACT, 1922: continued. (Expiring laws c. 21). 6—108

REGULATIONS FOR PEACE AND ORDER UNDER 12

CIVIL SERVICE OF UNITED KINGDOM—SPECIALLY-APPOINTED OFFICER:
SUPERANNUATION (c. 2). 2

Digitized by Google

	PAGE
COAL MINES (MINIMUM WAGE) ACT, 1921: EXPIRING LAWS (c. 21).	105
COMMISSIONERS OF PUBLIC WORKS IN IRELAND, POWERS TRANSFERRED FROM: EXCHEQUER BORROWING AND LOCAL LOANS (c. 3). ..	3
CODE use of—See Regulations Peace and Order	16
COMPENSATION FOR LANDS, &c., taken by Civil Authority. ..	11
CONSOLIDATED FUND (NORTHERN IRELAND); To apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the period ending on the thirty-first day of March, nineteen hundred and twenty-two: and of the year ending on the thirty-first day of March, nineteen hundred and twenty-three. Ch. 1.	1
CONSOLIDATED FUND: EXCHEQUER BORROWING AND LOCAL LOANS (c. 3). ..	3
APPROPRIATION (c. 14).	61
APPROPRIATION (No. 2) (c. 23).	110
CONSTABULARY; To provide for the establishment, management and control of the Royal Ulster Constabulary, and to amend the Law with respect to the appointment of Resident Magistrates and Special Constables in Northern Ireland, and for purposes connected therewith. Ch. 8.	38
1 Establishment of Royal Ulster Constabulary	
2 Appointment, removal, pay and pensions of Constabulary	
3 Free quota and additional constabulary for counties and boroughs	
4. Financial provisions.	
5. Temporary provisions.	
6. Jurisdiction of resident magistrates.	
7. Application of enactments relating to the Royal Irish Constabulary and power to make rules. ..	
8. Provisions as to special constables.	
9. Definitions.	
10. Commencement and short title.	
SCHEDULES.	
CONSTABULARY AND POLICE (IRELAND) ACT, 1919: CONSTABULARY (c. 8, s. 2).	39
CONSTABULARY (IRELAND) ACTS 1836, 1839, 1874: CONSTABULARY (c. 8).	41–43
CONTRACT OF SERVICE—Malicious breach of.	16
COUNTY BOROUGH COUNCILS: UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20, Fifth Schedule).	93
COUNTY COURT: .. .. Power of, to modify agreements and to apportion expenses under Celluloid and Cinematograph Film Act, 1922 (c. 20, Fifth Schedule, s. 8).	93
COUNTY COUNCILS: Authorisation of races with motor vehicles (c. 11). ..	52
Elections of (c. 22).	

Digitized by Google

PAGE

COUNTY ELECTORAL DIVISIONS:
LOCAL GOVERNMENT (c. 16). 69

COUNTY AND COUNTY BOROUGH:
Free quota and additional constabulary for (c. 8, s. 3). .. 39

COUNTY AND COUNTY BOROUGH COUNCILS:
Persons appointed to represent, in connection with midwives (c. 10, Sched., s. 2). 50

COURT FOR SERIOUS CRIMES:
CRIMINAL PROCEDURE (c. 6). 22

COURTS (EMERGENCY POWERS) ACT, 1914:
EXPIRING LAWS (c. 21). 107

CRIMES, SERIOUS: .. ..
CRIMINAL PROCEDURE (c. 6). 22

CRIMINAL PROCEDURE; To make special provision for the trial of persons charged with serious crimes in Northern Ireland, and for purposes connected therewith. Ch. 6. 22

CRIMINAL PROCEDURE ACT (NORTHERN IRELAND) 1922:
EXPIRING LAWS (c. 21). 107
DEATH SENTENCE. 9

DEPOSIT ON NOMINATION FOR LOCAL ELECTION:
LOCAL GOVERNMENT (c. 16). 70

DEPOSITIONS.—Reading as Evidence. Civil Authorities (Special Powers). (Ch. 5, s. 9). 10

DISTRICT ELECTORAL DIVISIONS:
LOCAL GOVERNMENT (c. 16). 73

DUTIES, INLAND REVENUE (INCLUDING EXCISE):
FINANCE (c. 18). 79

ELECTIONS, LOCAL AUTHORITIES:
LOCAL GOVERNMENT (c. 16). 69
LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) (c. 22). .. ..
POSTPONEMENT OF TRIENNIAL ELECTIONS COUNTY AND RURAL DISTRICT COUNCILLORS. 108

ELECTORAL DIVISIONS:
Orders for Constituting by Ministry of Home Affairs (c. 16, s. 7). 73

ELECTORS, LISTS OF:
Affected by alteration in electoral divisions (c. 16, s. 7). .. 73

ELECTRICITY SUPPLY.—Breach of contract of service. .. 16

EMPLOYERS' LIABILITY ACT, 1880: Expiring laws (c. 21). 103

ENTRY, POWER OF:
UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20, Fifth Schedule, s. 5). 95

ENTERTAINMENTS DUTY:
FINANCE (c. 18) 79
Philanthropic or charitable purposes. 80

Digitized by Google

ESTATE DUTY : PAGE
FINANCE (c. 18) 83

EXCHEQUER BORROWING AND LOCAL LOANS (NORTHERN IRELAND) ; To empower the Ministry of Finance to raise money for certain purposes, and to issue sums for Local Loans and for temporary investment. Ch. 3 3

EXCHEQUER :
Fines recoverable under Live Stock Breeding Act to be paid into (c. 12, s. 11 (2)) 58
Income from Church Temporalities Fund to be paid into. c. 13) 59

APPROPRIATION (c. 14) 61

EXCISE DUTIES :
FINANCE (c. 18) 79

EXPENSES OF LOCAL ELECTIONS :
Application of deposits not returned to (c. 16, s. 2). .. 70

EXPIRING LAWS ; To deal with certain Expiring Laws as respects Northern Ireland, by making some of them permanent, repealing others and continuing the remainder for a limited period. Ch. 21 101

EXPLOSIVE SUBSTANCES ACT.—Offences against, Punishment. 9

FINANCE ACT, 1894. (s. 20) :
FINANCE (c. 18) 83

FINANCE ACT, 1922. (s. 45)
FINANCE (c. 18) 83

FINANCE (1909-10) ACT, 1910. (s. 33) :
REFEREES AND ARBITRATORS (PROCEDURE). (c. 9) .. 47

FINANCE ; To amend the Law relating to certain Duties of Inland Revenue (including Excise) and to alter other Duties payable in Northern Ireland. Ch. 18 79
1. Duty on payments for admission to entertainments.
2. Proceeds of entertainments for philanthropic or charitable purposes.
3. Entertainments duty declared to be chargeable on certain payments.
4. Charge of higher rate of duty on change in user, etc., of mechanically-propelled vehicles.
5. Amendment of s. 9 of 10 & 11 Geo. 5, c. 72.
6. Alkali, etc., works stamp duty.
7. Exemption from stamp duty of instruments executed by Ministries of Northern Ireland.
8. Extension of s. 20 of 57 & 58 Vict., c. 30.
9. Construction and short title.

FINANCE (NEW DUTIES) ACT, 1916 :
FINANCE (c. 18) 79

Digitized by Google

FINANCE ACT, 1920 (Second Sched. Par. 1-2) PAGE
FINANCE (c. 18) 81

FIRE ARMS ACT.—Offences against, Punishment. 9
Regulations for Peace and Order 12

FRANCHISES, LOCAL GOVERNMENT:
Not affected by interruption of occupation or residence by reason of duties in Royal Ulster Constabulary. (c. 16 s. 6) 72

GAMING ACT, 1922:
Applied to Northern Ireland. (c. 20 Second Sched.) .. 90
GAS, Breach of Contract of Service. Regulations for Peace and Order 16

GENERAL ADAPTATION OF ENACTMENTS (NORTHERN IRELAND) ORDER, 1921:
CONSTABULARY (c. 8, s. 7) 44

GENERAL NURSING COUNCIL FOR NORTHERN IRELAND:
JOINT NURSING AND MIDWIVES COUNCIL (c. 10) .. 49

GLEBE LOAN (IRELAND) ACT, 1870: Expiring Laws (c. 21) 104

GOVERNMENT OF IRELAND ACT, 1920 (s. 31):
CHURCH TEMPORALITIES FUND (c. 13) 59

GOVERNMENT OF IRELAND (ADAPTATION OF THE TAXING ACTS) ORDER, 1922:
FINANCE (c. 18) 83

GRANTS, APPROPRIATION OF:
APPROPRIATION (c. 14) 62
APPROPRIATION (No. 2) (c. 23) 110

GREY SEALS PROTECTION ACT, 1914: Expiring Laws (c. 21) 105

GUARANTEE BY TREASURY OF UNITED KINGDOM; Charges in respect of 4

GUARDIANS, BOARD OF:
Elections to (c. 16 s. 2) 70
(c. 22) 108

GUARDIANS, BOARD OF:
UNEMPLOYMENT INSURANCE (c. 7 s. 14) 33

GOVERNMENT OF IRELAND (ADAPTATION OF UNEMPLOYMENT INSURANCE ACTS) ORDER, 1922:
UNEMPLOYMENT FUND (c. 4) 5

GOVERNMENT OF IRELAND (ADAPTATION OF ENACTMENTS (No. 1) ORDER, 1922:
CONSTABULARY (c. 8) 44

GOVERNMENT OF IRELAND (ADAPTATIONS OF ENACTMENTS) (No. 2) ORDER, 1922:
JOINT NURSING AND MIDWIVES COUNCIL (c. 10) .. 50

HARBOURS DOCKS AND PIERS (TEMPORARY INCREASE OF CHARGES) ACT, 1920: Expiring Laws (c. 21) .. 106

Digitized by Google

HEALTH: PAGE
NATIONAL HEALTH INSURANCE (c. 15) 67

HOUSING (IRELAND) ACT, 1919: Expiring Laws (c. 21) .. 107

INCORPORATED LAW SOCIETY:
SOLICITORS (c. 19) 84

INFANTICIDE ACT, 1922:
Applied to Northern Ireland (c. 20 First Schedule) .. 89

INFORMATION, required by Civil Authority. 18

INLAND REVENUE, DUTIES OF:
FINANCE (c. 18) 79

INQUEST, Prohibition of, by Minister of Home Affairs .. 10

INSPECTOR GENERAL—ROYAL ULSTER CONSTABULARY:
CONSTABULARY (c. 8) 38

IRISH CHURCH TEMPORALITIES FUND:
CHURCH TEMPORALITIES FUND (c. 13) 59

JOINT NURSING AND MIDWIVES COUNCIL; To make provision for the establishment of a Joint Council in Northern Ireland for the purposes of the Midwives (Ireland) Act, 1918, and the Nurses Registration (Ireland) Act, 1919, and for the purposes connected therewith. Ch. 10 49

JUDGES OF COURT OF APPEAL:
CRIMINAL PROCEDURE (c. 6) 22

Power of granting special exemption from preliminary examination for Solicitors (c. 19, c. 3) 86

JUDGES OF THE SUPREME COURT:
SOLICITORS (c. 19) 85

JURORS' QUALIFICATION (IRELAND) ACT, 1876: Expiring Laws (c. 21) 104

LABOUR, MINISTRY OF:
UNEMPLOYMENT INSURANCE (c. 7) 25
NATIONAL HEALTH INSURANCE (c. 15) 67
UNEMPLOYMENT INSURANCE (AMENDMENT) (c. 17) .. 78

LABOURERS (IRELAND) ACT, 1883: Expiring Laws (c. 21) .. 104

LAND, ACQUISITION OF (Assessment of Compensation) .. 47

LICENCES FOR BULLS:
LIVE STOCK BREEDING (c. 12) 54

LICENCE DUTY (MECHANICALLY-PROPELLED VEHICLES):
FINANCE (c. 18) 81

LICENSED PREMISES, Regulation for Peace and Order .. 12

LICENSING (IRELAND) ACT, 1902: Expiring Laws (c. 21) .. 105

Digitized by Google

LIVE STOCK BREEDING ; To make provision for the licensing of bulls and for the improvement of the breed of certain classes of live stock in Northern Ireland. Ch. 12 .. PAGE 53
1. Restriction on keeping of bulls. 54
2. Power to grant, suspend or revoke licences and permits. 54
3. Transfer and production of licence or permit. 55
4. Slaughtering or castration of unsuitable bulls. 55
5. Appeals. 56
6. Duties of owners of licensed or permit bulls. 57
7. Inspection and marking of bulls. 57
8. Forgery and fraudulent use of licence or permit. 57
9. Burden of proof. 58
10. Power to make rules. 58
11. Expenses and fines. 58
12. Interpretation. 58
13. Power to apply Act to boars and rams. 58
14. Commencement and short title. 58

LOANS GUARANTEE ; To authorise the Ministry of Finance for Northern Ireland to guarantee the payment of Loans to be applied towards or in connection with the carrying out of capital undertakings calculated to promote employment in Northern Ireland. Ch. 24 113

LOCAL AUTHORITIES :
Powers under Sale of Tea Act, 1922. (c. 20 Fourth Schedule) 92

LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) ; To postpone Elections of County and Rural District Councillors and Guardians in Northern Ireland, and of the Belfast City and District Water Commissioners, and to remove difficulties with respect to the constitution of certain Local Authorities. Ch. 22 108

LOCAL GOVERNMENT ; To amend the Law relating to Local Government in Northern Ireland, and for purposes connected therewith. Ch. 16 69
1. Method of voting and electoral divisions, etc. 69
2. Consent and deposit on nomination of candidates. 70
3. Provision as to annual election and retirement of members for borough, urban district or town. 70
4. Application to county borough of Belfast and Belfast City and District Water Commissioners. 71
5. Declaration of allegiance required of members and officers of local authorities. 72
6. Provisions as to local government franchises. 72
7. Orders for constituting electoral divisions and bringing Act into operation. 73
8. Interpretation, commencement, short title, construction and citation. 74
SCHEDULE.

LOCAL GOVERNMENT (IRELAND) ACT, 1898 :
LOCAL GOVERNMENT (c. 16) 69

Digitized by Google

PAGE

LOCAL GOVERNMENT (IRELAND) ACT, 1919:
LOCAL GOVERNMENT (c. 16) 69

LOCAL GOVERNMENT ACT (NORTHERN IRELAND), 1922:
LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) (c. 22) 108

LOCAL GOVERNMENT (EMERGENCY POWERS) ACT (NORTHERN IRELAND), 1921: Expiring Laws (c. 21) 103

LOCAL LOANS:
EXCHEQUER BORROWING AND LOCAL LOANS (c. 3) .. 4

LOCAL EMPLOYMENT COMMITTEES:
UNEMPLOYMENT INSURANCE (c. 7 s. 8) 31

LOCOMOTIVES ACT, 1865: Expiring Laws (c. 21) 103

LOCOMOTIVES ON HIGHWAYS ACT, 1896:
MOTOR VEHICLE RACES (c. 11) 53

LONDONDERRY, COUNCIL OF THE COUNTY BOROUGH OF:
Payment of salary of officer or cost of constable of Royal Ulster Constabulary not to be made. (c. 8 s. 4) .. 40

LORD CHIEF JUSTICE OF NORTHERN IRELAND:
CRIMINAL PROCEDURE (c. 6) 22
SOLICITORS (c. 19) 85

LORD LIEUTENANT:
Royal Ulster Constabulary, power of appointment to and removal from (c. 8 s. 2) 39

MECHANICALLY-PROPELLED VEHICLES:
Licence duty for (c. 18 s. 4-5) 81

MEDICAL PRACTITIONERS:
Appointed to Joint Nursing and Midwives Council (c. 10 Sched. s. 2) 49

MEDICAL OFFICER OF THE MINISTRY OF HOME AFFAIRS:
Appointed to Joint Nursing and Midwives Council (c. 10 Sched., s. 2) 49

MEETINGS, Prohibition of. Regulations Peace and Order .. 12

MIDWIVES (IRELAND) ACT, 1918:
JOINT NURSING AND MIDWIVES COUNCIL (c. 10) .. 49

MINERAL RIGHTS DUTY:
Reference committee for appeals relating to (c. 9, s. 1) .. 47

MINISTRIES OF NORTHERN IRELAND:
Exemption from stamp duty of instruments executed by (c. 18 s. 7) 83

Digitized by Google

MINISTRY OF FINANCE: PAGE
CONSOLIDATED FUND (c. 1) 1
EXCHEQUER BORROWING AND LOCAL LOANS (c. 3) .. 3
UNEMPLOYMENT FUND (c. 4) 5
UNEMPLOYMENT INSURANCE (c. 7) 26
CONSTABULARY (c. 9) 41
LIVE STOCK BREEDING (c. 12 ss. 10, 11) 58
CHURCH TEMPORALITIES FUND (c. 13) 59
APPROPRIATION (c. 14) 61
NATIONAL HEALTH INSURANCE (c. 15) 67
APPROPRIATION (No. 2) (c. 23) 110
LOANS GUARANTEE (c. 24) 113

MINISTRY OF HOME AFFAIRS:
Powers, &c., in relation to Royal Ulster Constabulary (c. 8) 38
JOINT NURSING AND MIDWIVES COUNCIL (c. 10) .. 49
MOTOR VEHICLE RACES (c. 11) 52
LOCAL GOVERNMENT (c. 16) 70
FINANCE (c. 18) 81
UNIFORMITY OF LAWS (BREAD ACTS AMENDMENT ACT, 1922) (c. 20 Third Schedule) 90
UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20 Fifth Schedule) 93
LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) (c. 22) 108

MOTOR CAR ACT, 1903:
MOTOR VEHICLE RACES (c. 11) Expiring Laws (c. 21) .. 53

MOTOR VEHICLE RACES; To provide for the Authorisation of Races with Motor Vehicles in Northern Ireland. Ch. 11 .. 52

MOTOR SPIRIT: Information as to. Regulations for Peace and Order 15

NATIONAL HEALTH INSURANCE: To make further provision with respect to the expenses of the administration of benefits under the Acts relating to National Health Insurance in Northern Ireland, to amend section twenty-nine of the National Health Insurance Act, 1918, in its application to Northern Ireland, and for purposes connected therewith. Ch. 15 67

NATIONAL HEALTH INSURANCE (PROLONGATION OF INSURANCE) ACT, 1921: Expiring Laws (c. 21) .. 103—105

NATIONAL INSURANCE ACT, 1911: Expiring Laws (c. 21) .. 105

NEWSPAPER: Prohibition of circulation of 20

NOMINATION OF CANDIDATES AT LOCAL ELECTIONS
LOCAL GOVERNMENT (c. 16 s. 2) 70

NORTHERN LAW SOCIETY:
SOLICITORS (c. 19) 84

NURSES REGISTRATION (IRELAND) ACT, 1919:
JOINT NURSING AND MIDWIVES COUNCIL (c. 10) .. 49

Digitized by Google

	PAGE
NURSING :	
Excepted employment under Unemployment Insurance Act (c. 7 s. 10)	31
OATH, FORM OF :	
For Royal Ulster Constabulary (c. 8 Second Schedule) ..	46
OFFENCES AGAINST THE PERSON ACT, 1861 (s. 60) ..	
UNIFORMITY OF LAWS (INFANTICIDE ACT, 1922) (c. 20 First Schedule)	89
OFFENCES AGAINST REGULATIONS FOR PEACE PRESERVATION ..	7
TRIAL	8
PUNISHMENT	9
OUTDOOR RELIEF :	
UNEMPLOYMENT INSURANCE (c. 7 s. 14)	33
PEACE PRESERVATION : Powers	6
„ „ Regulations	12
POLICE FORCE :	
CONSTABULARY (c. 8)	38
POWERS (CIVIL AUTHORITIES SPECIAL POWERS)	10
POLICE OFFICER :	
Power under Live Stock Breeding Act (c. 12 s. 3) ..	55
PUBLIC HEALTH (REGULATIONS AS TO FOOD) ACT, 1907 :	
Power of Ministry of Home Affairs to make regulations under (c. 20, Third Schedule)	90
RACES WITH MOTOR VEHICLES :	
MOTOR VEHICLE RACES (c. 11)	52
RAILWAY : Injury to. See Regulations for Peace and Order ..	16
RAMS :	
LIVE STOCK BREEDING (c. 12)	58
REAL PROPERTY, VALUE OF :	
Reference committee for appeals as to (c. 9, s. 1) ..	47
REFEREES AND ARBITRATORS (PROCEDURE) ; To amend section thirty-three of the Finance (1909-10) Act, 1910, and the Acquisition of Land (Assessment of Compensation) Act, 1919, in their application to Northern Ireland. Ch. 9 ..	47
REFEREES, COURT OF, UNDER UNEMPLOYMENT INSURANCE ACTS :	
UNEMPLOYMENT INSURANCE (c. 7 s. 8)	31
REFEREES, PANEL OF, UNDER LIVE STOCK BREEDING ACT :	
LIVE STOCK BREEDING (c. 12 s. 5)	56
REGISTER OF ELECTORS :	
Affected by alteration in electoral divisions (c. 16, s. 7) ..	74
REGULATIONS FOR PEACE AND ORDER (Civil Authorities (Special Powers)	12
RESERVED TAXES, IRISH RESIDUARY SHARE OF :	
CHURCH TEMPORALITIES FUND (c. 13 s. 2 (1)). ..	61
RESIDENT MAGISTRATES :	
Jurisdiction of (c. 8 s. 6)	42
RETURNING OFFICER :	
LOCAL GOVERNMENT (c. 16)	69

Digitized by Google

PAGE

ROADS, PUBLIC :
Used for races with motor vehicles (c. 11, s. 1) 52

ROADS ACT, 1920 :
FINANCE (c. 18) 81

ROYAL IRISH CONSTABULARY :
CONSTABULARY (c. 8) 38
Officers or constables retired from, temporary provisions (c. 8 s. 5) 41
Application of enactments relating to, to Royal Ulster Constabulary 42

ROYAL ULSTER CONSTABULARY :
CONSTABULARY (c. 8) 38
FINANCIAL PROVISIONS 40
FREE QUOTA 39
OATH OF 42, 46

RURAL DISTRICT COUNCIL :
Elections to (c. 22) 108

SALE OF FOOD AND DRUGS ACT, 1875 to 1907 :
UNIFORMITY OF LAWS (BREAD ACTS AMENDMENT ACT, 1922, AND SALE OF TEA ACT, 1922) (c. 20 Third and Fourth Schedules) 90–91

SALE OF TEA ACT, 1922 :
Applied to Northern Ireland (c. 20 Fourth Schedule) .. 91

SAVINGS CERTIFICATES :
EXCHEQUER BORROWING AND LOCAL LOANS (c. 3) .. 3

SERIOUS CRIME : Special court for 22

SERVICE OF CIVIL BILL : Substitution of 21

SOLICITORS ; To provide for the carrying into execution of certain enactments of the Solicitors (Ireland) Act, 1898, by the Incorporated Law Society of Northern Ireland, and to amend the said Act in its application to Northern Ireland.
Ch. 19 84

1. General Adaptation. 84
2. Apprentices and preliminary examinations. 85
3. Term of apprenticeship, exemption from examination .. 86
4. Rule making authority. 86
5. Continuance of existing regulations. 87
6. Commencement and short title. 87

SOLICITORS, REGISTRAR OF :
SOLICITORS : Ch. 19 85

SOLICITORS (IRELAND) ACT, 1898 : Applied in N.I. .. 84

SPECIAL CONSTABLES :
Provision as to (c. 8 s. 8) 44

SPECIAL CONSTABLES ACT, 1914 :
CONSTABULARY (c. 8) 44

SPECIAL CONSTABLES (IRELAND) ACT, 1832 :
CONSTABULARY (c. 8) 44

Digitized by Google

	PAGE
SPEED LIMITS FOR MOTOR VEHICLES:	
MOTOR VEHICLE RACES (c. 11)	52
STAMP DUTY:	
FINANCE (c. 18)	82
Exemption of instrument on behalf of Ministries ..	83
STATUTORY UNDERTAKINGS (TEMPORARY INCREASE OF CHARGES) ACT, 1918: Expiring Laws (c. 21) ..	106
SUPERANNUATION (NORTHERN IRELAND); To amend the Superannuation Act, 1921. Ch. 2	2
SUPREME COURT OF JUDICATURE OF NORTHERN IRELAND:	
SOLICITORS (c. 19)	84
SURVEYORS' INSTITUTION, PRESIDENT OF THE:	
Persons appointed by, as member of reference committee under Referees and Arbitrators (Procedure) Act (c. 9 s. 1).	48
TEA, SALE OF:	
UNIFORMITY OF LAWS (SALE OF TEA ACT, 1922) (c. 20 Fourth Schedule)	91
TEACHERS' PENSION FUND:	
CHURCH TEMPORALITIES FUND (c. 13 s. 2 (2)) ..	62
TEMPORARY INVESTMENTS: Payments into and out of Exchequer	4
TEXTILE MANUFACTURERS (IRELAND) ACT, 1840: Expiring Laws (c. 21)	104
TOWN COMMISSIONERS:	
Annual election and retirement of members of (c. 16, s. 2)	70
TRAFFIC ON PUBLIC ROADS:	
Provisions for the temporary suspension and regulation of (c. 11 s. 1 (2))	52
TREASURY BILLS:	
CONSOLIDATED FUND (c. 1)	1
APPROPRIATION (c. 14)	62
APPROPRIATION (No. 2) (c. 23)	111
TREASURY OF THE UNITED KINGDOM:	
Guarantee of principal and interest on any loan raised by Ministry of Finance (c. 3 s. 2)	4
UNEMPLOYED WORKMEN ACT, 1905: Expiring Laws (c. 21)	103
UNEMPLOYMENT FUND; To enable the Ministry of Finance to make advances for discharging the liabilities of the Northern Irish unemployment fund. Ch. 4	5
UNEMPLOYMENT FUND, NORTHERN IRISH:	
EXCHEQUER BORROWING AND LOCAL LOANS (c. 3) ..	3

Digitized by Google

UNEMPLOYMENT INSURANCE ; To amalgamate the rates of contribution and the rates of benefit under the Unemployment Insurance Acts, 1920 and 1921, and the Unemployment Workers' Dependants (Temporary Provision) Act, 1921, in their application to Northern Ireland, otherwise to amend the Unemployment Insurance Acts, 1920 and 1921, and to repeal the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, in their application as aforesaid, and for purposes connected therewith. Ch. 7 25

PAGE

1. Amalgamation with unemployment benefit of grants payable under 11 & 12 Geo. 5, c. 62 in respect of certain dependants. 25
2. Rates of contribution. 26
3. Termination of second special period under 11 & 12 Geo. 5, c. 1, and new special periods. 26
4. Provisions with respect to benefit in third and fourth special periods. 27
5. Provision for temporary payment of benefit. 29
6. Calculation of contributions. 29
7. Amendment of s. 12 (3) of principal Act. 30
8. Local employment committees. 31
9. Amendment of s. 12 of 11 & 12 Geo. 5, c. 15. 31
10. Nursing to be an excepted employment. 31
11. Legal proceedings. 31
12. Amendment of s. 9 (4) of 11 Geo. 5, c. 1. 32
13. Provision as to Unemployed Workers' Dependants Fund. .. 32
14. Amendment as to outdoor relief. 33
15. Power to adapt special schemes to the provisions of this Act. .. 33
16. Construction, saving, short title, and commencement. .. 33

SCHEDULES.

UNEMPLOYMENT INSURANCE (AMENDMENT) ; To amend section four of the Unemployment Insurance Act (Northern Ireland), 1922. Ch. 17 78

UNEMPLOYMENT INSURANCE ACT, 1920 :
UNEMPLOYMENT INSURANCE (c. 7) 25

UNEMPLOYMENT INSURANCE ACT, 1921 :
UNEMPLOYMENT FUND (c. 4) Expiring Laws (c. 21) .. 5—106

UNEMPLOYMENT INSURANCE (No. 2) ACT, 1921 :
UNEMPLOYMENT FUND (c. 4) 5
UNEMPLOYMENT INSURANCE (c. 7) 25

UNEMPLOYMENT (RELIEF WORKS) ACT, 1920 : Expiring Laws (c. 21) 105

UNEMPLOYMENT WORKERS' DEPENDANTS FUND :
UNEMPLOYMENT INSURANCE (c. 7 s. 13) 32

UNEMPLOYMENT WORKERS' DEPENDANTS (TEMPORARY PROVISION) ACT, 1921 :
UNEMPLOYMENT INSURANCE (c. 7 s. 13) 32

UNIFORMITY OF LAWS ; To apply to Northern Ireland certain Acts passed by the Parliament of the United Kingdom in the present Session thereof. Ch. 20 88

Digitized by Google

UNLAWFUL ASSOCIATION : Regulation for Peace as to .. 19

UNIVERSITIES :
Exemptions from examination for solicitors (c. 19, s. 3) .. 86

URBAN DISTRICT COUNCILS :
LOCAL GOVERNMENT (c. 16) 69
UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20 Fifth Schedule) 93
LOCAL AUTHORITIES (ELECTIONS AND CONSTITUTION) (c. 22) 108

WAR EMERGENCY LAWS (CONTINUANCE) ACT, 1920 :
CONSTABULARY (c. 8) 44

WARDS, ELECTORAL :
LOCAL GOVERNMENT (c. 16) 69

WARRANTS, BACKING OF :
By officers of the Royal Ulster Constabulary (c. 8 s. 7) .. 43

WARRANTY, DEFENCE OF :
UNIFORMITY OF LAWS (SALE OF TEA ACT, 1922) (c. 20 Fourth Schedule) 92

WATER SUPPLY : Breach of Contract of Service 16

WEIGHTS AND MEASURES, INSPECTION OF :
Fees taken by constables of Royal Ulster Constabulary acting as (c. 8 s. 4) 41

WEIGHTS AND MEASURES, INSPECTOR OF :
Powers under Sale of Tea Act, 1922 (c. 20 Fourth Schedule) 91

WORKMEN'S COMPENSATION (WAR ADDITION) ACT, 1917 :
Expiring Laws (c. 21) 105

XYLONITE :
UNIFORMITY OF LAWS (CELLULOID AND CINEMATOGRAPH FILM ACT, 1922) (c. 20 Fifth Schedule) 93

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TABLE IV

LOCAL ACTS

A

TABLE

OF

THE TITLES OF THE LOCAL ACTS

passed during the SESSION (arranged according to chapter)

12 & 13 GEORGE 5

ROYAL ASSENT, 31st May, 1922.

i. An Act to extend the Borrowing Powers of the Belfast Harbour Commissioners and for other purposes. (*Belfast Harbour.*)

ROYAL ASSENT, 14th December, 1922.

ii. An Act to authorise the Londonderry Bridge Commissioners to borrow money for amongst other purposes the painting, strengthening and repair of the Londonderry Bridge; and for other purposes. (*Londonderry Bridge.*)

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THE
LOCAL ACTS

12 & 13 GEORGE 5

CHAPTER i.

An Act to extend the Borrowing Powers of the Belfast Harbour Commissioners and for other purposes. [31st May, 1922.]

Preamble.

WHEREAS by the Belfast Harbour Act 1847 (in this Act called " the Act of 1847 ") divers earlier Acts relating to the Port and Harbour of Belfast were repealed and such of the powers and provisions of those Acts as were then applicable were consolidated and the Belfast Harbour Commissioners (in this Act called " the Commissioners ") were incorporated with power to execute works and to borrow money and acquire lands and to levy rates as in that Act mentioned.

AND WHEREAS the powers and provisions of the Act of 1847 were extended and amended by the following Acts namely :—

The Belfast Port and Harbour Conservancy Act 1852 ;
The Belfast Dock Act 1854 ;
The Belfast Harbour Act 1870 ;
The Belfast Harbour Commissioners Act 1871;
The Belfast Harbour Act 1882 ;
The Belfast Harbour Act 1883 ;
The Belfast Harbour Act 1893 ;
The Belfast Harbour Act 1898 ;
The Belfast Harbour Act 1901 ;
The Belfast Harbour Act 1918 ; and
The Belfast Harbour Act, 1919 ;

and the Act of 1847 and the said subsequent Acts from 1852 to 1919 inclusive are in this Act called " the Belfast Harbour Acts."

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AND WHEREAS by Section 30 of the Belfast Harbour Act 1918 it was provided that the Commissioners might to the extent and on the conditions mentioned therein from time to time borrow by overdraft from any bankers or by continuance of any such overdraft then existing or raise by the issue and renewal of bills or promissory notes or deposit receipts or by bonds (referred to as " temporary securities ") any moneys which they are authorised to borrow or to raise by the creation and issue of stock.

AND WHEREAS the said Section 30 of the Belfast Harbour Act 1918 stipulated that the powers of issuing temporary securities should only be exercised by the Commissioners (a) during the late War and twelve months thereafter and (b) with the previous assent of the Treasury and (c) for the purpose of raising money to meet maturing obligations originally incurred before the outbreak of the late war.

AND WHEREAS it is expedient that the Commissioners should have fuller powers in relation to the borrowing of money and the issue of temporary securities.

AND WHEREAS under the Belfast Harbour Acts and the Harbours Docks and Piers Clauses Act 1847 therewith incorporated the Commissioners are authorised to make Bye-Laws for regulating the use of the Harbour and for other purposes.

AND WHEREAS Section 85 of the Harbours Docks and Piers Clauses Act 1847 which applies to certain of the Bye-Laws which the Commissioners are empowered to make stipulates that the Bye-Laws shall not come into operation until the same be confirmed by some Judge of one of the Superior Courts or by the Justices at the Quarter Sessions subject to the procedure in said Act prescribed and Section 48 of the Belfast Harbour Act 1882 provides that certain Bye-Laws to be made by the Commissioners shall be confirmed by and shall be published in the manner prescribed by the Board of Trade and Sections 32 and 33 of the Belfast Harbour Act 1898 provide that certain other Bye-Laws to be made by the Commissioners shall be confirmed by the Board of Trade and that notice of the application to that Board for confirmation shall be given as in the last

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mentioned section is specified and that objections to such Bye-Laws shall be notified to the Board of Trade.

AND WHEREAS it is desirable that one uniform method should be adopted for the confirmation of and the procedure with respect to Bye-Laws made by the Commissioners.

AND WHEREAS by Section 73 of the Belfast Harbour Act 1847 the Commissioners were authorised to levy Tonnage Dues on Vessels using or entering the Harbour of Belfast and by Section 78 of the same Act the Commissioners were authorised to levy Quayage Rates on ships or vessels entering the Harbour or using the quays of the Commissioners and Section 2 of the Belfast Harbour Act 1919 authorised an increase in the amount of such Tonnage Dues and Quayage Rates.

AND WHEREAS it is desirable for simplification of working that the said Tonnage Dues and Quayage Rates on vessels and ships should be amalgamated into one rate.

AND WHEREAS it is expedient that the powers of the Commissioners for the acquisition of land and foreshore by agreement should be enlarged.

AND WHEREAS it is expedient that the other provisions in this Act contained should be enacted.

AND WHEREAS the several objects aforesaid cannot be effected without the authority of Parliament.

MAY IT THEREFORE PLEASE YOUR MAJESTY That it may be enacted and be it enacted by the King's Most Excellent Majesty and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows :—

Short Title.

1. This Act may be cited as the Belfast Harbour Act (Northern Ireland), 1922.

Temporary borrowing.

2. (1) In substitution to the extent hereinafter mentioned for the powers which the Commissioners now

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possess or may from time to time possess of borrowing money or raising money on consolidated Stock they may if they think fit from time to time borrow by overdraft from any bankers or by continuance of any such overdraft now existing or raise by the issue and renewal of bills or promissory notes or deposit receipts signed by the Chairman of the Commissioners or the Chairman of the Finance Committee of the Commissioners and by the Secretary of the Commissioners or by bonds under the Common Seal of the Commissioners any moneys which they are authorised to borrow or to raise by the creation and issue of stock and money borrowed by overdraft or on bills promissory notes deposit receipts or bonds (in this section referred to as "temporary securities") under the powers of this section may be paid off and re-borrowed from time to time: Provided that the total amount of such overdrafts or temporary securities which shall be outstanding at any time shall not exceed the sum of one million pounds except by the amount payable on temporary securities issued shortly before any other temporary securities fall due in order to pay off those temporary securities and provided also that the power of issuing temporary securities conferred by this section shall not be exercised by the Commissioners before the 1st day of September 1922 without the previous assent of the Treasury.

(2) Bills notes and bonds issued by the Commissioners under this section shall be designated by them "Belfast Harbour Bills" "Belfast Harbour Notes" and "Belfast Harbour Bonds" or such other appropriate names as the Commissioners may determine.

(3) Bank overdrafts and temporary securities under this section and the interest thereon shall have the same charge and security as and rank pari passu with Belfast Harbour Consolidated Stock and the interest thereon.

(4) The Commissioners shall keep a Register of all temporary securities (other than bills and promissory notes) issued by them.

(5) Section 30 of the Belfast Harbour Act 1918 shall cease to have effect as from the 1st day of September 1922.

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Confirmation of and procedure with respect to Bye-Laws.

3. (1) The provisions of Sections 48 and 49 of the Belfast Harbour Act 1882 with respect to confirmation publication and evidence of Bye-Laws made under the said Section 48 and with respect to penalties and damages for offences against such Bye-Laws shall cease to apply.

(2) The provisions of Section 32 of the Belfast Harbour Act 1898 with respect to confirmation of Bye-Laws made under that Section and penalties for breach of such Bye-Laws and the provisions of Section 33 of the same Act so far as they relate to Bye-Laws made under Section 32 thereof shall cease to apply.

(3) The provisions of the Harbours Docks and Piers Clauses Act 1847 with respect to Bye-Laws as far as applicable shall apply to all Bye-Laws now in force or hereafter to be made by the Commissioners for any of the purposes mentioned in Section 83 of that Act or in Section 24 of the Belfast Harbour Act 1847 or in Section 48 of the Belfast Harbour Act 1882 or in Section 32 of the Belfast Harbour Act 1898 or Section 38 (3) of the Belfast Harbour Act 1918 save that (a) the confirming authority for such of the said Bye-Laws as require confirmation shall be the Ministry of Commerce of Northern Ireland instead of the Justices at the Quarter Sessions (b) the penalties for breach of the Bye-Laws shall not affect the right to recover such damages as the case may call for or require (c) the time for giving notice of objection to any Bye-Law shall be within fourteen days after the publication of the notice of intention to apply for confirmation of the Bye-Law instead of ten days before the hearing of the application for allowance of the Bye-Law (d) in cases where no notice of objection is given within the said fourteen days it shall not be necessary for the confirming authority to hold a formal enquiry before allowing or disallowing the Bye-Laws and the Bye-Laws may be allowed and confirmed or disallowed at any time after the expiration of the said fourteen days and (e) no authentication by the confirming authority of a copy of the Bye-Laws to be used in evidence shall be necessary but the production of a written or printed copy of the Bye-Laws authenticated by the Common Seal of the Commissioners shall be conclusive evidence of the existence and due making of such Bye-Laws in all cases of prosecution under the same without proof of such Common Seal.

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Amalgamation of Tonnage Dues and Quayage Rates on Vessels.

4. The quayage rates which the Commissioners are authorised by Section 78 of the Belfast Harbour Act 1847 to ask demand levy take and recover of and from the master owner broker or consignee of every ship or vessel which shall or may from time to time enter the Harbour of Belfast shall be added to and amalgamated with the tonnage rates or dues which the Commissioners are authorised by Section 73 of the same Act to demand for every vessel using or entering the said Harbour so as to form one class of rates to be known as "Harbour Rates on Vessels" and so that the maximum amount to be levied demanded or taken by the Commissioners for any such Harbour Rate on Vessels shall not exceed the combined maxima applicable to the corresponding tonnage due and quayage rate under Sections 73 and 78 of the Belfast Harbour Act 1847 as amended by Section 2 of the Belfast Harbour Act 1919. All provisions of the Belfast Harbour Acts and the Harbours Docks and Piers Clauses Act 1847 incorporated therewith in relation to the making of additions to or increases of rates or the compounding of or granting of exemptions from rates or to the collection and recovery of rates or the accounts to be kept of rates or to subsidiary or incidental matters connected with rates and which apply to the said tonnage dues or the said quayage rates shall apply to the said Harbour Rates on vessels in the same way as they now apply to the said tonnage dues or quayage rates.

Description of Rates on Goods and Merchandise.

5. The rates on goods and merchandise which the Commissioners are empowered to levy under the provisions of Section 79 of the Belfast Harbour Act 1847 and Section 42 and the First Schedule of the Belfast Harbour Act 1882 and Section 2 of the Belfast Harbour Act 1919 shall hereafter be known as "Harbour Rates on Goods."

Power to acquire additional lands by agreement.

6. The Commissioners may from time to time by agreement acquire, either by purchase or by way of exchange or otherwise any land or foreshore adjoining or near to the undertaking and any rights easements or privileges in under or over any such land or foreshore which they may consider it necessary or desirable to acquire for any of the purposes authorised by the Belfast Harbour Acts or for any purpose in connection with the Harbour of Belfast or the development thereof.

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Cost of Act

7. All costs charges and expenses preliminary to and of and incidental to the preparing applying for and obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commissioners out of the Harbour revenues (as defined in Section 2 of the Belfast Harbour Act 1893) or out of moneys to be borrowed for the purpose under the powers of the Belfast Harbour Acts.

CHAPTER ii.

An Act to authorise the Londonderry Bridge Commissioners to borrow money for amongst other purposes the painting strengthening and repair of the Londonderry Bridge; and for other purposes. [14th December, 1922.]

WHEREAS under and by virtue of the Londonderry Bridge Acts 1852 and 1859 the Londonderry Bridge Commissioners were incorporated and continued and under and by virtue of the last named Act constructed the Londonderry Bridge commonly known as the "Carlisle Bridge" across the River Foyle within the City:

AND WHEREAS in accordance with the provisions of the Londonderry Bridge Act 1859 the said Bridge was constructed with two Roadways the Upper Roadway being appropriated exclusively to general road traffic and the Lower Roadway adapted for the passage thereon of carriages constructed for passage upon railways and the Commissioners were empowered to levy tolls in respect of the user of each of the said roadways AND WHEREAS the said Upper Roadway was in the year 1877 made and is now toll free under and by virtue of the powers contained in the Londonderry Bridge Act 1877 and by the contribution of nearly £40,000 made by The Honourable the Irish Society towards rendering the same toll free but the Commissioners demand and take tolls in accordance with the provisions of the Londonderry Bridge Act 1859 in respect of the use for certain railway traffic of the said Lower Roadway.

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AND WHEREAS under and by virtue of the Londonderry Bridge Act 1877 the Commissioners established certain ferries across the River Foyle within the City and provided steam and other ferry-boats and landing-stages for passengers and works and other conveniences connected therewith and have until recently demanded and levied tolls in respect thereof in accordance with the provisions of the last mentioned Act:

AND WHEREAS by the Londonderry Bridge Act 1920 the tolls rates and charges which the Commissioners were authorised to demand and levy under the Londonderry Bridge Acts 1859 and 1877 in respect of the lower roadway and ferries were increased.

AND WHEREAS notwithstanding such increase the Commissioners are unable to maintain and carry on the said ferries and in their endeavour to do so have incurred an indebtedness in connection with the maintenance of the said Ferry Service.

AND WHEREAS by the joint effect of Section 10 and Section 28 of the Londonderry Bridge Act 1877 it was provided that in case the funds derived from the use of the lower roadway of the Londonderry Bridge and from the ferries should not be sufficient to keep the Bridge in repair then it should be lawful for the Grand Juries of the City and County of Londonderry and the County of Tyrone respectively and they were thereby required from time to time at any Assizes before which thirty-one days' notice in writing to the Secretaries of the said Grand Juries respectively should have been given by the Commissioners of such deficiency to present at any such Assizes such an amount as might be necessary for the purpose of keeping the Bridge in repair not exceeding the sum of one thousand pounds and such amount should be levied and raised in manner in the said Act provided upon the owner or occupier (as the case might be) of lands tenements and hereditaments chargeable with the payment of County Cess or Grand Jury rate and to the extent and in the proportions in which they were so chargeable in the following poor-law electoral divisions or the townlands comprised therein respectively (that is to say):

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In the City and County of Londonderry :—

City and Suburbs Waterside Lower Liberties Upper Liberties Glendermott Lough Enagh Ardmore Bond's Glen Claudy Eglinton Tamnaherrin all in the Union of Derry and Faughanvale in the Union of Limavady;

In the County of Tyrone :—

Dunalong Ballymagorry Ballyneanor Mountcastle and Dunnamanagh all in the Union of Strabane :

AND WHEREAS by an Order of the Local Government Board for Ireland made on the twenty-third day of January One thousand nine hundred and three under the Local Government (Ireland) Act 1898 intituled "The Londonderry (County and County Borough) Adjustment Order 1903" (hereinafter called "the Order of 1903") after reciting (*inter alia*) the provisions of the Londonderry Bridge Act 1877 hereinbefore set forth it was provided that the Mayor Aldermen and Burgesses of Londonderry acting by the Town Council (thereinafter and in this Act called the Corporation) should from time to time raise in the County Borough of Londonderry by means of the Poor Rate but as a separate item thereof six thousand three hundred and fifty eight ten thousandth parts of the total amount of any sum which the Commissioners were or might be entitled to receive under the provisions of the said Section 28 of the Londonderry Bridge Act 1877 and that the Londonderry County Council should raise over so much of the County of Londonderry as was comprised in the area fixed in accordance with the provisions of Section 14 of the Londonderry Bridge Act 1877 by the referee appointed under the provisions of Section 11 of that Act two thousand nine hundred and thirty six ten thousandth parts of the total amount of the said sum leaving the remainder of the said sum (namely) seven hundred and six ten thousandth parts thereof to be raised by the Tyrone County Council in similar manner :

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AND WHEREAS the annual sum of two thousand pounds being the maximum sum which the Commissioners are entitled to receive under the provisions of Section 28 of the Londonderry Bridge Act 1877 is wholly insufficient for the purposes of keeping the Bridge in repair and the Commissioners are unable adequately to maintain and repair the said Bridge which is in urgent need of repair and improvement and owing to the insufficiency of the said sum the Commissioners have incurred a large and increasing indebtedness in respect of the maintenance of the said Bridge.

AND WHEREAS the Commissioners are of opinion that the areas by which any deficiency in the revenue derived from the Londonderry Bridge undertaking of the Commissioners shall be borne and the proportions in which such deficiency shall be levied and raised over such areas should be reconsidered and it is expedient that an enquiry should be held by the Ministry of Home Affairs as by this Act provided and that the said Ministry should be empowered to define and prescribe the said areas and proportions by Order to be made after the said enquiry and that provision should be made for carrying the said Order into effect:

AND WHEREAS it is desirable that the Commissioners should have at their disposal a reserve fund to meet any special emergency arising in connection with the Bridge.

AND WHEREAS estimates have been prepared by the Commissioners for the renewal strengthening and repair of the said Bridge and such estimates amount to £11,698 2s. 0d.

AND WHEREAS it is expedient that the cost of the works included in such estimates should be spread over a term of years.

AND WHEREAS the said Bridge includes permanent works and it is expedient that the repayment of the moneys to be paid by the Commissioners in respect of the existing debts and liabilities of the Commissioners should be spread over a term of years.

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A.D. 1922

AND WHEREAS it is expedient that the Commissioners should be empowered to discontinue the working and maintenance of the ferries undertaking and to sell or lease the same.

AND WHEREAS it is expedient that the Commissioners should be authorised to borrow money for the purposes of this Act and that the other provisions contained in this Act be enacted.

AND WHEREAS the purposes of this Act cannot be effected without the authority of the Parliament of Northern Ireland.

MAY IT THEREFORE PLEASE YOUR MAJESTY

That it may be Enacted AND BE IT ENACTED by the King's Most Excellent Majesty and the Senate and House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short and collective title.

1.—(i) This Act may be cited as the Londonderry Bridge Act (Northern Ireland), 1922.

(ii) The Londonderry Bridge Acts 1859, 1877, 1920 and this Act shall be read and construed as one Act and may be cited together as the Londonderry Bridge Acts 1859 to 1922.

Interpretation.

2.—In this Act unless there be something in the subject or context repugnant to such construction "the Corporation" means the Mayor Aldermen and Burgesses of the City of Londonderry.

"The Londonderry County Council" means the County Council of the County of Londonderry and "The Tyrone County Council" means the County Council of the County of Tyrone.

"The Commissioners" means the Londonderry Bridge Commissioners.

"The Ministry of Home Affairs" means the Ministry of Home Affairs for Northern Ireland.

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A.D. 1922.

"The Bridge Act of 1859" "The Bridge Act of 1877" and "The Bridge Act of 1920" mean respectively the Londonderry Bridge Act 1859 the Londonderry Bridge Act 1877 and the Londonderry Bridge Act 1920.

"The Order of 1903" means the Order of the Local Government Board for Ireland dated the twenty third day of January one thousand nine hundred and three made under the Local Government (Ireland) Act 1898 intituled "The Londonderry (County and County Borough) Adjustment Order 1903":

"The Irish Society" means the Society of the Governor and Assistants London of the New Plantation in Ulster within the Realm of Ireland:

"The Bridge" means the Carlisle Bridge Londonderry.

"The Ferries" means the ferries established or carried on by the Commissioners under the Powers of the Bridge Act of 1859 the Bridge Act of 1877 the Bridge Act of 1920 or some or one of them or any charter grant lease or otherwise.

"The Ferries undertaking of the Commissioners" means the ferries and all rights of ferrying across the Foyle within the City and shall include the lands with the Ferry houses and toll houses turnstiles shelters buildings stages steps walls piers and approaches situate within the City and all boats oars engines machinery plants moorings rights of mooring gear equipment yards and stores belonging to and used and enjoyed by the Commissioners in maintaining managing carrying on regulating and working the said ferries and also all rights powers authorities and privileges of the Commissioners in respect of the ferries under the Bridge Act of 1859 the Bridge Act of 1877 the Bridge Act of 1920 or some or one of them or any other Acts or Act of Parliament or any charter grant lease or otherwise.

"The Bridge undertaking of the Commissioners" means the bridge and shall include the lands yards stores houses buildings walls piers and approaches situate within the City and all machinery or plant belonging to and used

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A.D. 1922.

and enjoyed by the Commissioners in maintaining managing and carrying on and regulating the Bridge and also all rights powers authorities and privileges of the Commissioners in respect of the Bridge under the Bridge Act of 1859 the Bridge Act of 1877 the Bridge Act of 1920 or some or one of them or any other Acts or Act of Parliament or any charter grant lease or otherwise.

Increase of provision in case of insufficiency of tolls for repair of Bridge.

3.—Section 28 (Provision in case of insufficiency of Tolls for repair of Bridge) of the Bridge Act 1877 is hereby amended as if the words "two thousand pounds" were substituted therein for the words "one thousand pounds" and the sum of four thousand pounds shall accordingly be the maximum sum which the Commissioners may be entitled to receive from the Corporation the Londonderry County Council and the Tyrone County Council under the provisions of the said Section as amended by the Order of 1903.

Powers to borrow money for purposes of the Act

4.—Subject to the provisions of this Act it shall be lawful for the Commissioners to borrow from any Commissioners Corporation Company Body or person any sum or sums of money not exceeding in the whole the sum of £20,000 to be applied by the Commissioners in manner hereinafter provided.

Repayment of money advanced.

5.—The sums to be so advanced or lent to the Commissioners by such Commissioners Corporation Company Body or person shall be repaid by the Commissioners in such periods respectively not exceeding 50 years from the advance thereof as is hereinafter provided by way of annuity in such equal annual or other payments calculated to include payment of both principal and interest and in such instalments as may be agreed upon between such Commissioners Corporation Company Body or person and the Commissioners and for securing the payment of the said annuity it shall be lawful for the Commissioners to charge with the payment thereof in favour of the Commissioners Corporation Company Body or person who shall advance or lend such sums:

A.—All moneys derived by the Commissioners from the use of the Lower Roadway of the Bridge.

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A.D. 1922

B.—The annual sum not exceeding £3,000 authorised to be raised and levied in manner provided by Section 8 (1) of this Act:

Expenditure of Loan.

6.—It shall be lawful for the Commissioners to expend the said sum of £20,000 or such lesser sum as may be borrowed by the Commissioners under the powers hereinfore contained for the purposes hereinafter mentioned (that is to say):

A.—For the payment of the costs charges and expenses of this Act.

B.—For the payment and discharge of the existing indebtedness of the Commissioners in connection with the Bridge undertaking of the Commissioners.

C.—For the payment and in discharge of so much (if any) of the existing indebtedness of the Commissioners in connection with the Ferries undertaking of the Commissioners as may not be discharged out of the proceeds of the sale of the property of the Commissioners authorised to be sold by Section 10 of this Act.

D.—For the payment of the necessary cost (not exceeding the sum of £15,000) of the renewal, painting, strengthening and repair of the Bridge.

E.—In or towards the provision of the reserve fund of £5,000 authorised by Section 7 of this Act.

The periods within which the moneys borrowed for the purposes hereinbefore mentioned shall be repaid by the Commissioners, shall be as follows:

A.—A period not exceeding five years; *B.*—A period not exceeding twenty-five years; *C.*—A period not exceeding twenty-five years; *D.*—A period not exceeding twenty years; *E.*—A period not exceeding fifty years.

Creation of Reserve Fund.

7.—It shall be lawful for the Commissioners to create and maintain as in this Act provided a reserve fund (not exceeding the sum of £5,000) to be applied by the Com-

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A.D. 1922.

missioners wholly or in part as the case may require for the purpose of meeting any special expenditure or extraordinary claim or demand arising out of any such emergency in connection with the Bridge undertaking of the Commissioners as may in the opinion of the Commissioners require such special expenditure provided that resort may be had to the reserve fund although such fund may not at the time have reached or may have been reduced below the said maximum of £5,000.

Repayment of Loan.

8.—(i) For the purposes of repaying the loan to be effected by the Commissioners together with interest thereon and of levying and raising the respective proportions of the payments to be agreed upon between the Commissioners and any Commissioners, Corporation, Company, body or person as aforesaid and of creating and maintaining the reserve fund of £5,000 authorised by Section 7 of this Act the Commissioners shall be entitled to require payment as provided by this Act from the Corporation and the County Councils of Londonderry and Tyrone respectively of the necessary yearly payments for the purposes aforesaid (such payments not to exceed the sum of £3,000 per annum) and such payments shall from time to time be levied and raised by the Corporation and by the County Councils of Londonderry and Tyrone out of the Poor Rate in the same proportions at the same times, in or over the same contributory areas (as existing or amended) and in the same manner in all respects as the sums which the Commissioners may be entitled to receive from time to time from the Corporation and the said County Councils respectively under the provisions of Section 28 of the Bridge Act of 1877, as amended by the Order of 1903 and by this Act. Provided always that the right of the Commissioners to require payment of the said instalments from the Corporation and the County Councils of Londonderry and Tyrone respectively shall not be dependent upon the insufficiency of the tolls derived from the use of the Lower Roadway and the ferries for the repair of the Bridge. And Provided that the Commissioners shall not be entitled to require payment from the Corporation and the said County Councils of any annual sum exceeding £250 for the purpose of creating and maintaining the said reserve fund.

(ii) The notices requiring payment of the said annual payments shall be served at the same times and in

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like manner as the notices requiring payment of the sums which the Commissioners may be entitled to receive from time to time under the provisions of Section 28 of the Bridge Act of 1877, as amended by the Order of 1903 and by this Act.

As to inquiry by the Ministry of Home Affairs

9.—(i) After the passing of this Act it shall be lawful for the Ministry of Home Affairs and it is hereby required to appoint a person to hold an inquiry in the City of Londonderry and to report to the Ministry as to the expediency (due regard being had to the benefit to be derived from the Bridge) of extending (and if so to what extent) the areas over which the said annual sums not exceeding £4,000 and £3,000 respectively by this Act authorised to be levied and raised shall be so levied and raised, or of exempting entirely or in part the present contributory areas from any future proportions or contributions to the cost of the maintenance and repair of the Bridge and from contributions to the reserve fund, and as to the proportions in which the said annual sums should be levied and raised over the areas in which in the opinion of the person holding the inquiry the same should be levied and raised.

(ii) It shall be lawful for the Ministry of Home Affairs upon the representation of any of the contributory bodies in its discretion to direct the holding of another and other inquiries, provided that before the holding of any such further inquiry a period of not less than ten years shall have elapsed from the date of the report made to the Ministry of Home Affairs by the person appointed to hold the last previous inquiry.

(iii) The person holding any such inquiry under the provisions of Sub-sections (i) and (ii) of this Section shall hear all such persons or bodies by themselves, their Counsel, Solicitors, Agents and Witnesses as he may think fit, and shall have and may exercise in respect of such inquiry the same powers as those conferred by the Ministry of Transport Act 1919 upon a duly authorised person appointed by the Minister of Transport to hold an inquiry for the purposes of that Act.

(iv) After considering the report of the person holding any such inquiry under the provisions of Sub-sections (i) and (ii) of this Section the Ministry of Home

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A.D. 1922

Affairs may by Order (in this Section called "The Order") define the areas over which and prescribe the proportions in which the said annual sums not exceeding £4,000 and £3,000 respectively shall be raised, and the areas and proportions so defined and prescribed shall from the date of the Order coming into operation be substituted and continue to be substituted until amended by any subsequent Order, for all the purposes of the Bridge Act of 1877, and of this Act for the areas over and the proportions in which the sum which the Commissioners were immediately prior to the passing of this Act entitled to receive under the provisions of Section 28 of the Bridge Act of 1877 as amended by the Order of 1903 was levied and raised.

(v) It shall be lawful for the person holding any inquiry under the provisions of this Section either in his report to the Ministry of Home Affairs or by any subsequent writing under his hand upon the request of the Commissioners to certify the amount of the costs charges and expenses of or in relation to such inquiry properly incurred by the Ministry of Home Affairs including the remuneration of the person appointed to hold the inquiry by the Commissioners and by all such persons and bodies as may be declared by the Ministry to be entitled to their costs charges and expenses of such inquiry, and as and from the date of such Certificate the total amount of such costs charges and expenses of the Ministry of Home Affairs the Commissioners and all other such bodies and persons shall be payable to the Commissioners by the Corporation and by the County Councils of Londonderry and Tyrone in the proportions in which during the year next following the holding of such inquiry the said Corporation and County Councils may respectively be liable to contribute to the aforementioned annual sums not exceeding £4,000 and £3,000, and the amounts so payable by the said Corporation and the said County Councils respectively under the provisions of this Sub-section shall be recoverable on demand by the Commissioners from the said Corporation and the said County Councils and shall be levied and raised by the Corporation and the said County Councils out of the Poor Rate in the same proportions at the same times in or over the same contributory areas (as existing or amended) and in the same manner in all respects as the sums which the Commissioners may be entitled to receive in the year next following the holding of such inquiry

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A.D. 1922.

from the Corporation and the said County Councils respectively under the provisions of Section 28 of the Bridge Act of 1877 as amended by the Order of 1903 and by this Act; and the amount certified as aforesaid as the costs charges and expenses of such inquiry properly incurred by the Ministry of Home Affairs and by any person or body other than the Commissioners shall be paid by the Commissioners to the Ministry of Home Affairs or such person or body within twelve calendar months after the making of such Certificate.

Power to discontinue the ferries undertaking or to lease the same, and power to sell the buildings and plant of said undertaking

10.—It shall be lawful for the Commissioners, subject to the provisions of Section 14 of this Act (for Protection of the Londonderry Port and Harbour Commissioners).

a. To discontinue either wholly temporarily or in part the working and carrying on of the ferries undertaking of the Commissioners.

b. To sell, and absolutely dispose of either by public auction or by private treaty, all or any part of the lands, buildings, turnstiles, landing places, landing stages, pontoons, slips, row, motor, steam and other boats, engines, machinery, plant, oars, gear, equipment, buoys, moorings, and mooring chains and other appliances used for the purposes of or in connection with the ferries undertaking of the Commissioners: and all sums of money received by the Commissioners in respect of such sale or disposition shall be applied by them in manner following (that is to say): in the first place in payment of the necessary costs and expenses of such sale or sales and disposition; in the second place in discharge of the whole or part of the existing indebtedness of the Commissioners in respect of the said ferries undertaking; and the residue of such sums of money (if any) shall be applied by the Commissioners in or towards the formation of the reserve fund of £5,000 authorised by Section 7 of this Act.

c. Subject as hereinbefore provided, to lease the whole or any part of the ferries undertaking of the Commissioners; and to apply the rents reserved under any such lease in the same manner as if the same were moneys derived from the working of the ferries of the Commissioners.

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Commissioners empowered to receive Contributions for payment of loan.

11.—It shall be lawful for the Commissioners to receive and take from any person or body corporate, lay or ecclesiastical, legally entitled to give or present the same, such contribution in money as any such person or body may be willing to give or present to or for the purpose of paying off or discharging all or any part of any instalment of the loan by the Commissioners by this Act authorised, or any other debt of the Commissioners, or for the purpose of maintaining and repairing the Bridge, and for the purpose of this Section the Commissioners shall be a Highway Authority within the meaning of the Development and Road Improvement Funds Act 1909 and the Roads Act 1920 or either of them.

Bye-Laws as to Bridge.

12.—It shall be lawful for the Commissioners to make alter repeal vary amend and enforce Bye-Laws with respect to the Bridge undertaking of the Commissioners for all or any of the purposes following (that is to say):—

a. For regulating and controlling the use of the Bridge.

b. For regulating the duties and conduct of all persons and the officers and servants of the Commissioners who shall be employed in and about the Bridge undertaking of the Commissioners.

c. For regulating the conveyance of passengers animals goods and merchandise across the upper and lower roadways of the Bridge, and for prohibiting the conveyance of any goods or the use of any waggon, cart, motor car, lorry, or other carriage or engine which may in the opinion of the Commissioners be injurious to or prejudicially affect the stability of, or the use of, the Bridge, or either of the said roadways.

d. For the imposition of reasonable penalties for breaches of such Bye-Laws not exceeding five pounds on summary conviction for each offence.

Works below high-water mark to be subject to approval of Ministry of Commerce.

13.—Subject to the provisions of this Act any of the works authorised by this Act to be constructed on over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections, and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Ministry of Commerce.

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A.D. 1922.

Any alteration or extension of any such works shall be subject to the like approval.

If any such work be commenced or completed contrary to the provisions of this Section the Ministry of Commerce may abate or remove the same and restore the site thereof to its former condition at the cost of the Commissioners and the amount of such cost shall be a debt due from the Commissioners to the said Ministry.

For protection of Londonderry Port and Harbour Commissioners.

14.—For the protection of the Londonderry Port and Harbour Commissioners (in this Section referred to as "the Harbour Commissioners") the following provisions shall unless otherwise agreed in writing between the Harbour Commissioners and the Commissioners apply and have effect (that is to say):

(i) The Commissioners shall not within twenty years from the commencement of this Act without the consent in writing of the Harbour Commissioners terminate any agreement for the construction or working by the Harbour Commissioners of capstans or other works or apparatus on the Lower Roadway of the Bridge nor shall the Commissioners except with the like consent (which shall not be unreasonably withheld) under the powers of this Act or otherwise execute or do any work act or thing which shall prevent or interfere with the haulage by the Harbour Commissioners of traffic over the said Lower Roadway by means of such capstans works or apparatus or otherwise.

(ii) The Commissioners shall not lease the whole or any part of the ferries undertaking of the Commissioners under the provisions of Section 24 of the Bridge Act of 1877 or Section 10 of this Act or either of them to any person or persons, Company, Corporation or other body except with the consent and approval of the Harbour Commissioners (which shall not be unreasonably withheld).

(iii) If any difference shall arise between the Harbour Commissioners and the Commissioners under the provisions of this Section such difference shall be referred to and determined by an Arbitrator to be agreed upon between them or failing such agreement to be appointed

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on the application of either party (after notice in writing to the other of them) by the Ministry of Home Affairs. In the latter case the cost and expenses of such arbitration including the remuneration of the Arbitrator shall be defrayed in such manner and to such extent as the Ministry shall direct.

For protection of Irish Society and others.

15.—For the protection of the Honourable the Irish Society (in this Section called "The Society") and their Lessees the following provisions shall unless otherwise agreed between the Commissioners and the Society have effect (that is to say):—

(i) In the event of the Commissioners proposing to execute in exercise of the powers of this Act any works which will involve any interference with the bed or soil of the River Foyle or the alteration temporarily or permanently of any of the existing piers of the Bridge the Commissioners shall submit to the Society plans and sections of any such works. The Commissioners shall also submit to the Society details of the mode and method proposed to be adopted in constructing the same for their reasonable approval and the Society may make such reasonable requirements with reference to the mode or method of construction of such works as may be reasonably necessary for the purpose of avoiding as far as possible any interference with their several fishery and the exercise by themselves or their Lessees of their fishing rights and the Commissioners shall comply with such requirements accordingly or in the event of their disagreeing with any such requirements or disputing the necessity for the same the matters in question shall be referred to arbitration under the provisions of this Section and the works so far as they are to be constructed in or over the River Foyle shall be constructed in accordance with such details and such requirements (if any) as may be agreed or settled by arbitration as aforesaid.

(ii) The Commissioners shall not execute any works in the River Foyle below high water of ordinary spring tides between the 1st day of April and the 31st day of August inclusive in any year.

(iii) In executing any such works as aforesaid the Commissioners shall interfere as little as may be with the

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several fishery of the Society or with the exercise of any of the fishing rights of the Society or their Lessees and the Commissioners shall take all reasonable precautions to avoid impeding capturing injuring or destroying the fish and fry and more especially the Commissioners shall not carry out or permit any blasting operations in the said River otherwise than inside a cofferdam or cylinder and in such manner and at such times as may be reasonably approved by the Society. Provided that the Commissioners shall be responsible for and make good to the Society or their Lessees any damage or injury which may have been caused or result from any such blasting operations and indemnify the Society and their Lessees from any claim resulting therefrom.

(iv) The Society or their Lessees may employ two persons to watch the operations of the Commissioners in connection with and during the construction of any such works as aforesaid and for the purpose of preventing during such period as aforesaid any poaching operations by workmen or employees of the Commissioners or their contractors during the execution of such works and the reasonable expense of the employment of such persons as far as such expense may be agreed or in case of difference determined as hereinafter provided to have been reasonably necessary shall be repaid to the Society or their Lessees by the Commissioners on demand.

(v) The Commissioners shall not remove disfigure or obliterate or permit to be removed disfigured or obliterated the plate or tablet now affixed to the North end on the East side of the Bridge on which is recorded the fact that the Bridge was declared toll free and the mode in which the cost of freeing the Bridge was raised and paid.

(vi) Any difference which may arise between the Commissioners and the Society as to any matter under this Section shall in default of agreement be settled by an Arbitrator to be agreed upon between the parties or failing agreement to be appointed by the Ministry of Home Affairs and the costs and expenses of such arbitration shall be defrayed as the Ministry shall direct.

Saving rights of the Irish Society.

16.—Nothing in this Act contained shall extend to prejudice diminish alter or take away any of the rights privileges powers or authorities vested in or enjoyed by

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A.D. 1922.

the Irish Society under or by virtue of any charter or charters heretofore granted to them by the Crown or of any statute or statutes in anywise relating thereto.

Audit of Accounts.

17.—(i) The Accounts of the Commissioners up to the first day of January One thousand nine hundred and twenty-three shall be audited in the same manner as before the passing of this Act and the Accounts of the Commissioners as from and inclusive of that day shall be audited and examined once in every year by an Auditor of Poor-Law Unions in Northern Ireland appointed by the Ministry of Home Affairs and the Ministry of Home Affairs may with respect to such audit by Order apply any or all of the provisions of Section 11 to Section 18 of the Local Government (Ireland) Act 1871 as amended by Section 6 of the Local Government Board (Ireland) Act 1872 or any subsequent enactment including the provisions of those Sections which impose penalties or provide for the recovery of sums and may by such Order or any subsequent Order modify the said enactments and the said provisions shall apply accordingly subject to any such modification so made as aforesaid.

(ii) Any Order made by the Ministry of Home Affairs under this Section shall have effect as if enacted in this Act but may be revoked or varied by a subsequent Order.

(iii) Sections 26 and 27 of the Bridge Act 1859 are hereby repealed except as to the Accounts of the Commissioners up to the first day of January One thousand nine hundred and twenty-three.

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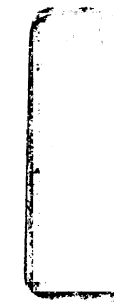

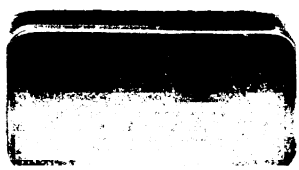

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